

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	262	Finl	8.5.4.04				

Government {1899} of Madras. FINANCIAL.

Recd.

Regd.

} 1899.
Enclosures
Spare copies

G.O., No. 432, 21st March 1899.

MARCH.

Exchange Compensation Allowance.

Directing that certain questions to be answered by all applicants for admission to the benefits of — be substituted for those circulated with G.O., No. 13, Financial, dated 6th January 1898 ; and directing the Superintendent, Government Press, to arrange to supply officers with forms as required.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

Read—again the following paper:—

G.O., No. 13, Financial, dated 6th January 1898.

ABSTRACT.—Stating that all applications for admission to the benefits of exchange compensation allowance should be accompanied by complete replies to certain questions specified; and requesting the Superintendent, Government Press, to arrange for the supply of the forms of these questions to the officers requiring them.

ORDER—No. 432, Financial, dated 21st March 1899.

The questions in the appendix to these proceedings will be substituted for the questions circulated with G.O., No. 13, Financial, dated 6th January 1898.

2. The Superintendent, Government Press, will arrange to supply officers with forms as required.

(True Extract.)

(Sd) G. Stokes
Chief Secretary.

To all Departments of the Secretariat.
„ Heads of Departments under the Chief Secretary.

[Appendix.]

QUESTIONS TO BE ANSWERED BY OFFICERS CLAIMING EXCHANGE
COMPENSATION ALLOWANCE.

Name of claimant _____

Office _____

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?	
2. Are you a European?	
3. Of what nationality was your father?	
4. Of what nationality was your mother?	
5. In what country were they married and when?	
6. In what country were you born and when?	
NOTE.—If appointed in England and No. 2 is answered in the affirmative, questions 7 to 19 need not be replied to.	
7. In what country or countries were you educated and for how long in each?	
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	
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 ?	
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.	
<p>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.</p>	

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

STATION,
Date

189

Signature of Claimant.

Financial
Public Works (1899) Department.

CURRENT No. 786

CHIEF SECRETARY
- 4 FEB. 1909
DEPARTMENT OF MADRAS

CURRENT No. 465

No: 704 C d / 1 " Feby: 99

From

The Examiner P.W. Account
Madras 1809

Order Indt.

Referred to the
Financial Dept.

No. 96 $\frac{A}{S}$

Dated 26th January 1899.

Received

Registered

Enclosures one

Spare copies

SUBJECT.

Where are the notes returned
by P. D. re the alteration
in the questions re Ex. Comp.
Allowance?

M^r. C. F. Adams Assistant
Engineer 3rd: grade —
Requesting orders of Govt: re-
-garding the admission on
otherwise of the claim to Ex.

CA

I made a search for the notes but cannot
trace them either in the air book or in the memo books.
When the notes were received in the first instance the file
came to the Ref. Dept. The notes were used
which was put up & sent to the Ref. Dept.

Copied: Allowance of —
The notes were used
for the purpose of reference

dealt with Mr
Strong's case.

Exd. Shaik Karim

BACK PAPERS.

FURTHER PAPERS.

1,000-17-2-99

C. No. 465 From the P.W.D. No. 704 C, dated 1-2-99 189

N O T E

The question raised by the

Examiner in his office note 96 A/E,

d/the 26th January 1899, is whether

in the case of Engineers appointed

from [redacted] Cooper's Hill [redacted] the

formal orders of ~~the~~ the Financial

Dept. are still necessary ~~for~~ ^{for} their

admission to exchange compensation al-

lowance. This question has already

been threshed out in the notes flagged

where it was decided that it is neces-

sary for formal orders to be passed

in each case. Certain changes in the

Existing Questions
present set of ~~maps~~ appended to G.O.

No. 13 Finl., d/ 6th January 1898,

The orig. mss. of these notes
have been ~~lost~~ ~~misplaced~~ mislaid,
but true copies have been obtained
from the P. L. D. & not to delay
this file any longer

Cash

Page 103 of the book. file A

were also agreed upon in the ^{notes} ~~case~~.

Draft order and ^{draft} ~~the~~ reply

to the P.W.D. are accordingly submitted

for approval:--

Curb.
15.3.99

Financial Dept.

G.No.465

Memorandum :—N^o 797, d/20-3-98

With reference to its en-

dorsement No. 704 G., d/1st Feb. 1899

^{P.W.} the department is informed that it

is necessary that formal orders in

the Financial Dept. should be passed

as regards the claims of Engineers

appointed from ~~the~~ Cooper's Hill ~~to~~

The questions appended to G.O.No.13

Finl., d/6th January 1898, are under

revision and revised forms are being

circulated.

To

The P.W.D. (with 4 ant. inclos. ^{received})

Curb.
15.3.99

[Signature]

2/3/99

noted in

No 5310 C dated 25th November 1898.

Note in the Public Works Dept.

A Under G.O. No. 13, Financial, dated 6th January 1898, all officers claiming exchange compensation allowance are required to answer the questions specified in the appendix to that order.

2. In the Resolution of the Govt. of India, published in the Gazette of India of the 12th November 1898, pages 1115-1122, appointments are specified, the holders of which appointed in India, are entitled to exchange compensation allowance. Under this Resolution, all that an officer holding one of these appointments has to do, is to prove that he is not a "Native of India" under the Statute, and he becomes ipso facto entitled to the allowance.

3. If this simplicity of procedure is allowable in the case of an officer appointed in India, it seems unnecessary that the more rigid scrutiny contemplated by the Financial Department should be applied to him a

each copy to be made certain that the officer is incumbent

Deso 1081 Fnl 8
19-11-98

B

4. The question has arisen in connection with Mr. R. F. Honey, Assistant Engineer, who has recently joined the Public Works Department from Cooper's Hill

(Sd) W. B. de Winton
Secretary to Post Bd.

The Financial Dept (U.O.)

With reference to the question raised in paragraph 3 of the Public Works Dept note, attention is solicited to paragraph 2 of Govt of India ^{Letter of Commerce Dept} letter n^o. 1271 Ex dated 18th March 1898 in G.O. n^o. 387, Financial, dated 19th April 1898. The Govt of India has ruled that all European officers appointed in Sindh may be admitted to exchange compensation allowance and that Eurasians so appointed may be treated as Europeans if they are not Statutory Natives. It has further laid down that in dealing with the case of Eurasian officers appointed in Sindh, the initial presumption will be that they are entitled to the allowance and that it ~~only~~ should only be withheld from such an officer when it seems clear that his circumstances are such as to make him a Statutory Native.

The point in each copy
to make certain that
is ^{or} ~~is~~ ^{noted in} ~~incum~~ ^{off} ~~int~~

is not a statutory native and it is
not clear how a decision can be
arrived at on this point without
obtaining from the officer concerned
information such as is contemplated
by the questions in the appendix
to G.O. n^o. 13, Financial, dated 6th
January 1898.

Intd. G.S.
5/12/98.

N^o. 5481C.
Govt. of Madras.
Public Works Department.
Madras, 7th December 1898
Office note.

From
The Secy to Govt., P.W.D.
To

The Chief Secy.

Will you kindly look into this
matter once more. It is admitted that
the point in each case is to ascertain
that an officer is not a statutory
native. This is a perfectly simple
matter. No person born out of India
can, under the terms of the statute,
be a native of India. In a case
of this kind all that an officer
has to do is to answer question 1
in the negative. All the other
questions then become superfluous.
A person who ~~does~~ not answer
question ~~1~~ the negative, must
answer it in the affirmative.

Such a person would be a statutory
native, and in his case also none
of the other questions are necessary.

(sd) B. de Winton
Secy. in charge

Financial Dept.

Note for the Chief Secretary.

As regards officers appointed in England, the cases to be considered are those of (1) Europeans & (2) Eurasians.

With reference to (1) the Govt. of India has ruled that all European officers appointed in England may be admitted to exchange compensation allowance.

As to (2) Eurasians - so appointed may be treated as Europeans if they are not statutory natives, the initial presumption being that they are entitled to the allowance which should be withheld from such officers only when it seems clear that their circumstances are such as to make them statutory natives (vide paragraph 2 of Government of India, Finance & Commerce Department W. 12715).

dated 18th March 1898, in G.O. W. 387, Financial, dated 19th April 1898)

The Public Works Dept.

Consider,
of India, but
is incumbent

Considers that all that it is required to be answered by an officer appointed in England is question 1 in the appendix to G.O. W. 13, Financial, dated 6th January 1898, since if the officer answers that question in the negative, he cannot be a statutory native, and if he answers it in the affirmative he must be a statutory native.

This line of argument is not quite clear. Question 2, in which an officer is asked to state whether he is a European or not, is really more important than question 1 as all European officers appointed in England are eligible for the allowance whether statutory natives of India or not. Questions 3, 4, 5 and 6 are merely subsidiary to questions 1 and 2 and they are necessary if Government is to enquire into cases closely. Cases have come before the Dept. show that officers of various departments have rather vague notions as to what a statutory native is.

Very much so.
Dtd G.S. 16/12/98.

I have no doubt they are.
Dtd G.S. 16/12/98.

Statutory native of India is. Equally vague notions prevail as to what an Eurasian is. It is submitted that questions 1-6 are necessary in the case of all officers appointed in England. The footnote which now appears below the question 8 might, however, be moved up so as to appear below question 6 and it might run as follows:-

"If appointed in England and W. 2 is answered in the affirmative, questions 7 to 19 and 27 need not be replied to."

It is to be observed that questions 20-26 are necessary in the case of officers appointed in England. They may not be required for officers of the Public Works Department but even in their cases replies are easily framed.

The presumption in the case of Eurasian officers appointed in England is, under the Govt. of India's orders, to be that they are not statutory natives of India, but it seems nevertheless incumbent

I am not so sure of the need for these questions which would be more easily answered in office than by a raw youth appointed straight from England.
Dtd G.S. 16/12/98.

this fact to make certain of this fact.

Questions 7 and 8 are necessary in the case of Eurasian officers to fix domicile.

Questions 9-13 or 14-17 are necessary required to fix the domicile of the parents. These, like questions 2-6, are subsidiary to question 1.

It is submitted that, in the case of officers appointed in India all the questions from 1-26 require to be gone into as directed in the answer sheet. Question 27, in view of the recent rulings of the Govt of India, appears to be superfluous as the replies to parts (i) and (ii) (a) are really fixed by the Govt of India resolution & (ii) (b) is not a question which an officer himself can well answer. It is for the head of his department who will, in forwarding the case, generally give the information.

The P.W. proposal would, as pointed out in that department, reduce the number of questions to be answered by officers appointed in England but the question in P.W. would remain merely as in answer to the question whether an officer is a statutory native of India.

W.B. 16/12/98.

officer is a statutory native of India as pointed out above, questions 2-6 are necessary to make certain that the officer answering the questions is not acting under a misapprehension in his reply to question 1.

Dtd 8.5.16/12/98

W.P. 2850 of 16.12.98

To

The Public Works Deptt U.O.

Public Works Deptt.

Snod W.P. 422C dated 20 Jan 1899

Papers returned with thanks. The proposed amendments will perhaps sufficiently meet the case of officers appointed in England (i.e.) that questions 1 to 6 only should be put & questions 20 to 26 if considered absolutely necessary which they hardly seem to be.

Dtd W.B. de W.

omitted →

[G.]
24
1,000-17-2-00.

Financial DEPARTMENT.

Read again G.O.No.13, Finl., d/6th Jany. 1898 ----- P

C. No. From the; No., dated 189 .
" " " 189 .
" " " 189 .
" " " 189 .

ORDER no 432 of 21-3-99.
The ~~questions to be answered~~ in the
appendix to these proceedings
by all applicants for admission to
the benefits of exchange compensation
will be substituted for the
questions
circulated with G.O.No. 13 Finl., d/6th
January 1898.

2. The Supt., Govt. Press, will
arrange to supply officers with forms
as required .

To
All Depts. of the Sectt.

" Heads of Depts. under the C.S. *Cust.*
18/3/99. *18/2/99.*
dispd.
28.3.99.

④ Not Pertain
Regulative }
Ref *Finl.*
S.C. to Ex. Comp. Fil. (cont)

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

Office

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?	
2. Are you a European?	
3. Of what nationality was your father?	
4. Of what nationality was your mother?	
5. In what country were they married and when?	
6. In what country were you born and when?	
7. In what country or countries were you educated and for how long in each?	
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	
<p>Note.—If appointed in England and No. 2 is answered in the affirmative, questions 3 to 7 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?	
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.	
20. Is your present appointment permanent?	
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 <u>contract</u> <u>agreement</u> , please forward your <u>contract</u> <u>agreement</u> for inspection.	
23. Is your appointment under your <u>contract</u> <u>agreement</u> 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.	
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.	

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 <u>Service</u> <u>Department</u> 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,
Date

189 . }

Signature of claimant.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G O., No.
189

DATED

NUMBER OF COPIES
REQUIRED.

Order complete.
Letter only.
Order complete with Letter.

60
G O. No.

13/11/11 (1)

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DEED.

PAPERS NOT FILLED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. —

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

Soon
Financial (1899) Department.

ORDINARY, PRINTED.

G.O., No. 432

DATED 21-3-99

INDEXED.

17/17

[Despatch Abstract.]

Exchange Compensation Allowance

Directing that certain questions to be answered by all applicants for admission to the benefits of — be substituted for those circulated with S.O. no 13 dtd 6-1-98; and directing the Supl. Post Press. to arrange to supply officers with forms as required