

Public Works (1898) Department.

G.O., No. 1502 W

DATED 16 June 98

[Despatch Abstract.]

In charge Compensation a Kowalee
Govt India Circular forwarding Comptroller's
on the question whether the restriction regarding
the 'Statutory Native' applies to officers
appointed in England, recorded with
reference to No. 1313 W 9 23 May 98

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Indexed

20/6

(1898) Department.

The Govt of India

P. W. D.

No. 1502 W & 16.6-28.

Recorded, with

реформа 6500 кв. 13/34

No. 1400 G.

dated 23 May 1998.

ACK

14. 6. 98.

Dated

23rd May 1878

Received

Registered

6 June 1870
8. 6. 38

Enclosures

Spare copies 3

SUBJECT.

Exchange Compensation Allowance
Rules. Forwarding for information
and guidance a copy of correspondence
passing orders on the question
whether the Statutory Marine⁸³
restriction applies to officers
appointed in England.

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С. К. /и/

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BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 1400 G. GOVERNMENT OF INDIA. PUBLIC WORKS DEPARTMENT. GENERAL.

Orders on the question whether the "Statutory Native" restriction applies to officers appointed in England.

Simla, the 23rd May 1898.

The following is forwarded to the Local Governments, Administrations
The Governments of Madras and Bombay, Public Works Department,
General and Railway Branches.
The Governments of Bengal, the North-Western Provinces and Oudh, and the Punjab, and officers noted
The Government of Burma, Public Works Department, General and Railway Branches.
The Chief Commissioners of the Central Provinces, Assam, and Coorg. on the margin for
The Resident at Hyderabad. information and
The Agents to the Governor General for Rajputana, Central India, and Baluchistan.
The Accountant General, Public Works Department
The Directors of Railway Construction and Traffic.
The Consulting Engineers to the Government of India for Railways, Calcutta, Lucknow, and Assam. guidance.
The Director General of Telegraphs.

By order,

Subramaniam

Offg. Under Secretary to the Govt. of India.

Document referred to.

No. 1271-Ex., dated Calcutta, the 18th March 1898.

From—W. S. MEYER, Esq., Officiating Deputy Secretary to the Government of India, Finance and Commerce Department,

To—The Chief Secretary to the Government of Madras, Financial Department.

I am directed to refer to your letter No. 611, dated the 3rd August 1897, in which you enquire, with reference to the Exchange Compensation Allowance Rules promulgated with the Resolution in this Department, No. 2422 Ex., dated the 31st May 1897, (1) whether Europeans appointed in England are eligible for the allowance if they are Statutory Natives of India, and (2) whether the word "hereafter" in the first line of Rule IV (1) of the revised Rules is not redundant.

2. In reply, I am to say that all European officers appointed in England may be admitted to the allowance, and that Eurasians so appointed may be treated as Europeans if they are not Statutory Natives. In dealing with the case of Eurasian officers appointed in England, the initial presumption will be that they are entitled to Exchange Compensation Allowance, and the allowance should only be withheld from such an officer when it seems clear that his circumstances are such as to make him a Statutory Native.

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With 350.

3. With reference to the use of the word "hereafter" in Rule IV (1) of the new Rules, I am to explain that Rule XIII of the revised Rules does not, as implied in your letter, provide generally for the case of officers already in the service of Government, but merely lays down a rule of procedure in regard to such of them as were formerly admitted to Exchange Compensation Allowance, but will be debarred under the new rules. Officers already in the service of Government will (subject in the case of some of them to the proviso in Rule XIII) draw Exchange Compensation Allowance or not according as they are qualified or otherwise under Rules I, II, III, and V and the instructions to be issued with reference to Rules II (2) and III. Rule IV is designed to simplify the disposal of future claims by requiring the certificate mentioned in its first clause as a necessary preliminary to any such claim being allowed in the case of officers *hereafter* appointed in India. The necessity for retaining this word will thus be evident.

No. 611, dated 3rd August 1897.

From—THE HONOURABLE MR. J. F. PRICE, C.S.I., Chief Secretary to the Government of Madras,

To—The Secretary to the Government of India, Finance and Commerce Department.

In Rule II (1) of those for the grant of Exchange Compensation Allowance, communicated with Finance and Commerce Department Resolution No. 2422 Ex., dated 31st May 1897, it is stated that Europeans appointed in England form one of the classes of public servants who fulfil the condition laid down in Rule I as regards the grant of the allowance, and it is directed, at the end of that rule, that Europe shall be deemed to include the English-speaking colonies. In paragraph 2 of the Resolution quoted above it is intimated that Eurasians who are not Statutory Natives of India are to be reckoned as Europeans. The case of Europeans who are Statutory Natives of India does not seem to be clearly provided for, and I am to request instructions as to whether Europeans of this class who are appointed in England can be admitted to the allowance.

2. I am also to draw attention to the fact that the word "hereafter" in the first line of Rule IV (1) of the revised Rules appears to be redundant, as Rule XIII provides for the case of officers already in the service of Government.

G. C. Press, Simla.—No. 328 P. W. D.—26-5-98.—1,303.

To The Secretary Govt of Madras
P.W. Department