Public works

2821
30/10/99

~~Marine~~ (189) Department.

G.O., No. 2892 W

ATED 31 Oct 99

~~Circulated to~~

Col: 8269.
3718.
2821
7502
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ny. C

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[Despatch Abstract.]

Exchange Compensation Allowance.

# Stating that this Govt is of opinion that certain officers and subordinates of the P.W.D are not entitled to ———

E

1,

n. 6.
—23-8-97.

Indexed. 1/11

…ings circulated with

BACK PAPERS.

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

27095
13 10 99

FURTHER PAPERS.

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

READ the follow

Letter from the Supt. Engr., I Circle, ... Dy ...
" " " Govt: of India No. 555 S dd 25: 4
" " " Supt. Engr., IV Circle, No. 513 W dd 8: ...
" " " Dy. Adjutant General No A.B.T. $\overset{12498}{\cancel{4495}}$ dd ...
" " " Supt. Engr., V Circle, No. 562 W dd 6.10

~~Circulated to~~

Con: 8269.
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ORDER.

No: 2892 W dd 31-10-99

The claims to exchange compensation allowance of the officers & subordinates named in the margin having been remitted by the Govt: of India to this Govt: for decision, His Excellency the Governor in Council has carefully considered their cases in the light of the general# principles which the Govt: of India have decided should be followed in dealing with claims to the allowance. H.E. in Council is of opinion that the officers & subordinates in question have an Indian domicile & have acquired no other, & that they are therefore

... re Govt: of India now

...refers to the letters quoted above & to the rulings circulated with

P.T.O.

...y. Capt. & Dy. Commissary J. Lalor
" Lieut & Asst. Commissary J. Kelly.
Sub Conductor H. Slaney
" " T. G. Blake
" " S. Hearne
" " J. Cherry (deceased).

G.O. No 901 Finl dd 15. 8. 99
communicated with
G.O. No 2473 W dd 19. 9. 99.
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P. W. 4.
1,000—18-7-99.

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BACK

G.O.	No.	Department.	nce.

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23/10/99

P.W.

"Natives of p. 9
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READ the following :—

Letter from the Supdg. Engr., I Circle, No. 389 I g d 7
" " " Govt. of India No. 555 G d 25. 4. 95
" " " Supdg. Engr., II Circle, No. 513 W d 8. 5. 95
" " " Dy. Adjutant Genl. No. ABT 12498 d 17. 8

Circulated to H.E. the Governor

FOR ORDERS.

To
The Supdg. Engr., V Circle
" Supdg. Engr., I Circle
" Supdg. Engr. IV Circle
" Supdg. Engr., III Circle
" Examiner, P.W. Accts.

for co
of
& subord
concern

×
Hony Capt. & Dy. Commissary
J. Lalor
Hony Lieut. & Asst. Commissary
J. Kelly
Sub Conductor H. Slaney
Sub Conductor T. G. Blake.

CNo 2821.
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Read back
torn

A. Haggard H.

× Flag 7

With reference to the claims of the ~~Hony.~~ ×Commissioned & warrant officers named in the margin to Exchange Compensation allowance, the Govt. of India in letter No. 523 G dated 20th Feby 1895 considered that their domicile is Indian & that they have acquired no other domicile & that they are therefore not entitled to the allowance.

2. In the similar case of Sub Conductor S. Hearne the Govt. of India applied for further information which was supplied in letter No. 934 W d 23.4.95, but no further orders on the case were passed by India.

3. The Govt. of India now refers to the letter quoted above & to the rulings circulated with

P.T.O.

G.O.

ar No. 2 & dated 3rd agged d & state that should decide in the tance whether the Officers inats named are entitled ange Compensation allowance April 1897 under those referring any case which still remain doubtful to at Govt. for decision.

It was in the interests of these officers & subordinates that India was asked whether all soldiers appointed to the Dept. from the College of Engineering may draw the Exchange Compensation allowance without question as holding appointments which by practice or order are confined to men enlisted in the British Army – please see para 7 (4) of the Resolution of the Govt. of India, Finance & Commerce Dept. No. 2422 & dated 31.5.97 Flag L.

4 The reply was that all soldiers employed as members of the Upper Subordinate Establishment of the Dept. may draw the allowance without question under the new rules provided that they are not "Natives of India" as defined by the Statute. The definition gi in para 4 of the G. I. Resolu quoted above is that "the words "Natives of India" shall include any person born & domiciled within the dominions of Her Majesty in India of paren habitually resident in India & not established there for temporary purposes only".

5. The cases of the Army Commissioned & Warrant Officers in question are all precisely alike. They are all the sons of European soldiers who served in the country & died here. None of the widows or children went back to England. All these Army Commissioned & Warrant Officers were born in India & educated in India, & enlisted

Enlisted in British regiments
in this country whence they
entered the P. W. D.

6. If ~~their cases are dealt~~ ~~with~~ the definition & the
tests mentioned in G.O. No 901
Finl. dated 15th August 1899
are applied to their cases
ey are without doubt "Statu=
ory Natives of India" for the
urpose of Exchange Compensation
llowance. It is submitted
therefore that they are not-
entitled to the allowance.

A.S.H.
6.10.99

Pur: H.l.
1/9/99

19.9.99

Public Works (1899) Department.

CURRENT No. 282 [illegible]

Order

From The Supg. Engineer
First Circle

No. 389 D3.

Dated 25/28. 3. 99.
Received } 30. 3. 99
Registered }
Enclosures One.
Spare copies

SUBJECT.

Application for admission to
the benefits of the Exchange
Compensation allowance —
Submits an — from Hony. Lieut.
and asst. Commissary J. Kelly
Asst. Engr. for necessary action

o L S 506 R17/10

BACK PAPERS.

No.	Date.
Finl. No 901	d/ 15-8-99 + 2473 W d/ 19.9.99
" 703 Finl	d/ 17-6-99 + 2472 W d/ 19.9.99
" 679 "	d/ 10-6-99
" 1192 W	d/ 4-5-99
" 404 W	d/ 9-2-99
" 313 W	d/ 2-2-99
" 183 W	d/ 24-1-98
" 167 C	d/ 7-1-99
" 1231 W	d/ 14-5-98
" 4897 C	d/ 20-11-97
" 139 Finl	d/ 12-2-98
	& File

FURTHER PAPERS.

No.	Date.

Enclo: 1 to SEI No 389 VS.
d/ 25/28 3.99

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 Hon Lieut and Asst Commissary J. Kelly

Office Asst Engineer P.W. dept Madras

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 and am domicile in India, my father as a soldier was there for temporary purpose connected with the British Army till his death —
2. Are you a European?	I consider myself one
3. Of what nationality was your father?	Ireland
4. Of what nationality was your mother?	Her father and grand father were English but she was born in India would be an India
5. In what country were they married and when?	India 1844
6. In what country were you born and when?	India 1845
7. In what country or countries were you educated and for how long in each?	India
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	India
NOTE.—If appointed in England and No. 2 is answered in the affirmative, questions 9 to 17 need not be replied to.	
9. In what country was your father born?	Ireland

Questions.	Answers.
10. In what country or countries was he educated and for how long in each?	In Ireland
11. In what country or countries, and for how long, did he reside—	In Ireland for 18 years
(i) before you were born?	2 years in India
(ii) since your birth to the present time?	India till 1874 when he died
12. If he was ever in India, state—	
(i) when?	1836 when he came to India
(ii) for how long?	35 years
(iii) in what capacity?	Soldier
(iv) (a) how often did he leave this country?	Once
(b) when?	1852
(c) for how long?	Three years
(d) in what capacity?	Soldier
(e) in what countries did he reside during the periods of absence?	Burmah
13. If your father is dead, state in what country he died and when?	India

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?	From birth to death 70 years in India
(i) before you were born?	16 years
(ii) since your birth to the present time?	54 years
15. If she was ever in India, state—	
(i) when?	see answer above
(ii) for how long?	do do
(iii) in what capacity?	wife of my father
(iv) (a) how often did she leave this country?	never to my knowledge
(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?	India

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?	See answer to question 8
18. To what office, service, or department were you first appointed and when?	Enlisted in British Army in 1859 joined P.W. Dept in 1868 —
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.	Both belong to the British Army and the P.W. Dept. See classified list of P.W.D. and Army list
20. Is your present appointment permanent?	Yes
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?	Army Regulations
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? 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—	No
(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.	Not that I am aware of
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;	None but Europeans are permitted to join the British Army
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.	See British Army Regulation

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

STATION, Bangalore
Date 16th March 1899.

J. Kelly
Signature of claimant.

EXECUTIVE ENGINEER,
Regr. No. 5714
20 MAR. 1899
P. W. D.
VIZAGAPATAM DIVISION.

SUPERINTENDING ENGINEER,
No. 327 V2.
25 MAR. 1899
FIRST CIRCLE.

No 4982 of $\frac{23}{24}$. 3-99

Forwarded to the Supdg Engineer 1st Circle for transmission to Government for sanction.

W. Hunter (?)
Executive Engineer
Vizagapatam Dn.

$\frac{1}{2}$ 23 $\frac{3}{99}$

Ows: 1 / 2821/99

S. E. I / 2 500--15-1-98.

No. 389 V3.

From

W. C. De Morgan, Esquire, M. I. C. E
~~SUPERINTENDING~~ Executive ENGINEER, in charge,
FIRST CIRCLE.

Enclosures. one

To

THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT.

WALTAIR, $\frac{25}{28}$. 3. 1899.
Camp.

× write no 2083/99 write SAW.

Sir,

Referring to G. O. No. 183 W.× of 24-1-98, I have the honor to submit herewith an application in the prescribed form from Hon: Lieutt and assistant Commissary J. Kelly Assistant Engineer for admission to the benefits of the Exchange compensation allowance, with complete replies to the questions printed therein, for favour of necessary action.

I have the honor to be
Sir,
Your most obedient servant
W. C. De Morgan
27.3.99
Executive Engineer, in ch.
I circle.

CR

Public Works (1899) Department.

CURRENT No. 3718

From The Government of India, P.W. Dept

Order

No. 5559

Dated 25th April 1899

Received } 4.5.99

Registered 8.5.99

Enclosures

Spare copies.

SUBJECT.

Eligibility of certain military officers and Subordinates to Exchange Compensation allowance

—

Referring, for decision by the Govt. of Madras, the question of ——

Madras

0.5.4 o.h.s 506 R12/10

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

All communications should be addressed to the Secretary.

2083

No. 555 G.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

To

The Secretary to the Government of Madras,
Public Works Department.

Simla, the 25th April 1899.

Sir,

In continuation of Public Works Department letter No.523* G., dated 20th February 1895, and with reference to your letters No.934# W dated 23rd April 1895, and No.2232 W., dated 7th September 1895, I am directed to refer to Public Works Department Circular letter No.2× G., dated 3rd January 1899 and the orders circulated therewith, and to state that the Government of Madras should decide, in the first instance, whether the officers and subordinates named on the margin are entitled to exchange compensation allowance from 1st April 1897 under those orders, referring any cases which may still remain doubtful to this Government for decision.

*Flag 7.

\#Flag H.

×344W / 3-2-99 put up with C.W. No 2083 &c.

Honry. Capt. and Dy. Commissary J. Lalor
" Lieutt. " Asst. Commissary J. Kelly
Sub-Conductor H. Slaney
" " T.G. Blake
" " S. Hearne
" " J. Cherry

Dead long ago.

I have the honour to be,
Sir,
Your most obedient servant.

GHD Walker

Under Secy. to the Govt. of India.

A.C.B.

Documents accompanying.
Nil.

VH. 27/4

Public Works (1899) Department.

CURRENT No. 7504

934 W 23.4.95
494 W 2.3.95
1192 W 4.5.99
183 W 24.1.98
3126 W 27.8.98

with Cw 5618/99 [illegible]

From The Supdg Engineer 4th Circle

Order

No. 513/W

Dated 8th September 1899
11th do —

Received
Registered } 12-9-99

Enclosures 4. Plans - Two } Total
Others - 4 } 4

Spare copies. ✓

SUBJECT.

Exchange Compensation allow: Claims by Sub Condr S. Hearne Sub Engr P.W.D.

Submits — with reference to G.O. No. 183 W d/24th Jany/98 & G.O. No. 1192 W d/4th May 1899.

SRW

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BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

2 DEC. 99

E. 9/1 to End. No. 513/W

Indian ?

H.
Sub Engr
24.11.98

EXAMINER,
P. W. ACCOUNT
16 FEB. 1899

10 Highweek Road
South Tottenham
London
29.9.

To

The Chief Engineer
P. W. Department
Madras.

The Memorial of Samuel Hearne Sub Conductor in H. M. British Army and Supervisor in the P. W. D. Madras Presidency
Respectfully Sheweth:

(1) That on the issue in Augst. 1893 of the first set of orders for the grant of the exchange compensation allowance, Your Memorialist feeling so absolutely certain of his title to it, immediately submitted his claims to the allowance. It was, in the first instance admitted, but subsequently disallowed for reasons not yet communicated to Your Petitioner. The last stage of the question so far as Your Memorialist

SUPG. ENGINEER … P.W.D. No … 11 FEB.99 … FORT …
EXECUTIVE ENGINEER'S OFFICE 29 JUL 99 … SALEM.
EXECUTIVE ENGINEER'S OFFICE 29 JUL 99 …
SUPG. ENGINEER … P.W.D. 2-SEP 99

× Government of India P.W. No 523 G. d 20th Feby 1895.

knowledge extends, was ×call in 1895 by the Gover of India for certain information (vide annexu A). which was furnished in full in your Memoria No. 477 d 28 March 1895. (Annexure B).

(2). That your memorialist whilst feeling the hardsh of the suspension of the allowance for so long a time, disavows all intentions of making the delay a ground of complaint as he is aware that the whole question of the proper grant of this allowance became surrounded with such numerous difficulties as to practically necessitate a reconsideration by the Government of India and the Home Government of the whole question.

(3). That your Memorialist who is now on Special duty for 12 months in England, has recently

H. Entbhy 24.11.95

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
SALEM.

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99

SUPG. ENGINEER'S
No ......
2-SEP 99

Paper I

seen the latest orders of the Government of India on the Subject, as contained in their Resolution No. 2422 Ex dated 31st May 1897. in the Department of Finance and Commerce, and respectfully begs that in the light of these orders his claims alread[y] preferred, may be dealt with at an early date and orders issued for the payment of these allowan[ces] with retrospective effect from the date of their disallowance.

(4). That Your Memorialist would again urge in support of his claims that he is of pure European parentage being born of parents who were _not_ habitually resident in India but were established there for _temporary_ purposes only, and even the latter

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
SALEM

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
SALEM

SUPG. ENGINEER'S OFFICE, P.W.D.
No.
12 SEP 99

was a result of the exigencies of the Public Service. Your Memorialist's Father was born, educated and eventually enlisted in the British Army in England, he was married in India to one of pure European parentage who had similarly been born and brought up in England and Your Memorialist's Father served in two British Cavalry Regiments the 12th and 17th Lancers, both of which were under the Crown and not in the H. E. I. Company's Service, and he continued to serve as a British Soldier in the 2nd " of the Regiments named until his death in India in 1860. His War Services consisted of the Crimea, and Indian Mutiny.

(5). That Your Memorialist was born in India

SW. Ex Engr 24.11.98

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
P.M.
SALEM

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
P.M.
SALEM

SUPDG. ENGINEER'S
2 SEP 99

whilst his Father was Serving with H. M. Colors but he would respectfully represent that this accident of his birth abroad and not in the Home land should not be held to denationalize him. It was the exigency of the Public Service that brought Your Memorialist's Father to India and but for this exigency he would have been born in England or wherever else the regiment was ordered abroad. Your Memorialist was born in a British Regiment's Barrack, was brought up in the midst of all the Surroundings, and traditions of the British Soldier, was educated in the Regimental School, and finally enlisted in the 18th Hussars at the age of 14, and without Seeking

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
SALEM.

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
P.
SALEM.

ENGINE... P.W.D.
2-SEP 99

outside employment as Soldiering was regarded by his people as the proper career for all the sons of the family while the girls hoped to, and as a matter of fact, did become the wives of British Soldiers. The interests of the whole family were bound up with those of a British Regiment.

(6) That Your Memorialist Served for 7 years with the Colors before electing to be sent to the Engineering College, Madras, with a View to being rendered qualified for employment in the P. W. D. as he found that advancement in the Regiment was not as rapid as he could wish.

(7) That in the light of the foregoing facts it is absolutely an erroneous

H. Exe Engr 24/11/95

employment of terms to designate Your Memorialist a native of India, by birt education, military care and attestation papers, (the latter involving a liability to Military Serv in any part of the World); Your Memorialist is a British Soldier before anything else, and until the terms "British Soldie and "native of India" can be regarded as convertib Your Memorialist must with all due respect demur to his being classe as a native of India, and this quite apart from any consideration of the allowance which he now solicits.

(8) That Your Memorialist having, to his thinking, established beyond all doubt that he is a British Soldier who is not permanently domicile in India but is explicitly by the terms of his

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
D.
SALEM.

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
F.
SALEM.

contract liable to serve anywhere, (Vide Field Service in South Africa in 1881). Respectfully urges that the fact of his now being in Civil Employ should not militate against his claims. He was sent to an Indian Engineering College as a British Soldier to qualify for an appointment reserved strictly for British Soldiers (annexure C). and the fact of its reservation for the class indicated predicates that it is an appointment in which European qualifications are held to be necessary. On passing his final College examination he was appointed to one of these "reserved" appointments and Your Memorialist therefore contends that he was appointed to an office confined to men enlisted in the British Army & being thus

para. 3 of Offr. Chief Secy to Govt. No. 1237 d 14th May 1872. Establishment No 31

"In General Records

EXECUTIVE ENGINEER'S OFFICE 11 FEB 99
EXECUTIVE ENGINEER'S OFFICE 29 JUL 99
EXECUTIVE ENGINEER'S OFFICE 29 AUG 99

appointed expressly as a British Soldier he was necessarily appointed as a European for the purpose of the rules in the latest Resolution. He most certainly did not compete for or gain the appointment, as a native of India as is evidenced by the fact that while at College he was receiving the pay of a Corporal in a Cavalry Regiment.

19) That to prevent any misunderstanding, Your Memorialist begs leave to state that his children have not up to the present been sent to England because they are (the boy particularly) of tender age, and owing to his slender income Your Memorialist is reluctantly compelled to restrict their future stay in England for Educational purposes to a few years only when

Sub Engr
24.11.98

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
SALEM

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
P.
SALEM

Having arrived at a mor
mature age they will be
able to appreciate and
take advantage of the
benefits which bringin
up in England connotes.
The part of the allowan
now solicited will enable
them to prolong their
intended stay when the
time is ripe for send-ing them Home.

(10) That your Memorialis
is now on 12 months special
duty in England having
been deputed by the
Government of Madras
to study the System of
Electric Lighting, and
that when the intention
of the Madras Governme
became known, your
Memorialist at some
substantial pecuniary
loss immediately
offered his services,
and by his action may
be regarded as

Ext Engr 24.11.95

EXECUTIVE ENGINEER'S OFFICE
No.
29 JUL 09
D.

EXECUTIVE ENGINEER'S O
No.
29 AUG 09
F

SUPG. ENGINEER'S OFF.
No.
2-SEP.09

collateral evidence that he regards England as his Home. as no native of India would have courted what would have been to him practical exile

(11) That at the present stage of Your memorialis career, pension still remote, it is premature to make any declaratio as to where he intends to settle, but his presen intention is that his future home will be South Africa but in any case it will not be India which is yet another proof that Your memorialist does not consider India as his home.

(12) That Your memorialist would urge, in conclusion, that his claims may be received in a broad, liberal spirit and without regard to any rigid technicality that may be raised on

Sub Engr 9.11.

P.W.D. No. 15 MAR 99 FOURTH CIRCLE.
EXECUTIVE ENGINEER 29 JUL 99 SALE
EXECUTIVE ENGINEER'S OFFICE 29 AUG 99 SALE
SUPG. ENGINEER'S O No. 2 SEP 99 FO

on narrow principals of
audit and accounts.
Your Memorialist and
his father before him, no
to go further back, have
born their share of
fighting their Sovereig
battles under the old
flag, and Your Memorial
would cheerfully &
proudly resume his
position in the fighting
line again did but
occasion require it,
and it seems almost
inconceivable that
Your Memorialists family
and personal records being
as already explained he
should by the denial
of the allowance have,
(what he considers) the
stigma attached to him
of being put down as a
(Native of India). He
ventures to submit that
the Public Policy demand
the recognition of cases
like those of Your
Memorialist

Sub Engr 24.11.95

SUPG. ENGINEER'S OFFICE, P.W.D., No. 11 FEB 99 FOURTH CIRCLE

SUPG. ENGINEER'S OFFICE, P.W.D., No. 15 MAR 99 FOURTH CIRCLE.

EXECUTIVE ENGINEER'S OFFICE 29 JUL 99 SALEM.

EXECUTIVE ENGINEER'S OFFICE 29 AUG 99 SALEM.

SUPG. ENGINEER'S OFFICE No. 2 SEP 99 FOURTH CIRCLE

as falling within the scope of the Rules and Your Memorialist hopes and believes that his case will be received favourably and he shall as in duty bound, ever pray.

Sub Engr.
24.11.95

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
P.W.D.
SALEM.

ENGINEER'S OFFICE P.W.D.
No 13186
15 MAR 99

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
SALEM.

SUPDG. ENGINEER'S OFFICE
2 SEP 99

Proceedings of the Madras Government

Read the following:—

Letter from the Government of India P.W.D. No: 523 G of 20th Feby 18

With reference to your letter No: 3168 W dated 10th December 94, I am directed to say that under the circumstances stated in their applications for the exchange compensation allowance, the Government of India consider that the domicile of the Honorary Commissioned and warrant officers named on the margin, is Indian and that they have acquired no other domicile. They are therefore not entitled to the allowance.

2. In regard to Sub Conductor S. Hearne, I am to request that it may be ascertained from him & reported to the Government of India whether his father was in the 17th Lancers when he returned to India after the Crimean Campaign, and up to the date of his death.

Order thereon No: 494 W of 2nd March 1895

Communicated to the Superintending Engineers II & VI Circles for the information of the Honorary commissioned and warrant Officers concerned.

2. The Superintending Engineer VI circle will obtain from Sub Conductor S. Hearne the information

Proceedings of the Madras Government

Read the following:—

Letter from the Government of India P.W.D. No: 523 G of 20th Feby 18

With reference to your letter No: 3168 W dated 10th December 94, I am directed to say that under the circumstances stated in their applications for the exchange compensation allowance, the Government of India consider that the domicile of the Honorary Commissioned and warrant Officers named on the margin, is Indian and that they have acquired no other domicile. They are therefore not entitled to the allowance.

Honorary Captain & Dy Commissary S. Lalor
Do Lieut: & Asstt: —do— J. Kelly
Sub Conductor H. G. Slaney
Do F. G. Blake

2. In regard to Sub Conductor S. Hearne, I am to request that it may be ascertained from him & reported to the Government of India whether his father was in the 17th Lancers when he returned to India after the Crimean Campaign, and up to the date of his death.

Order thereon No: 494 W of 2nd March 1895

Communicated to the Superintending Engineers II & VI Circles for the information of the Honorary commissioned and warrant Officers concerned.

2. The Superintending Engineer VI circle will obtain from Sub Conductor S. Hearne the informati

quired by the Government of India.

(True Extract)

(Signed) C. H. Burlton

Under Secy: to Govt: P. W. D.

No. 142/C.I of 6th March 1895

Copy communicated to the Executive Engineer Coimbatore Division for compliance with reference to para 2 of the G.O.

(Signed) J. Hannan

Supg: Engr: IV circle

No. 1014

Copy to Mr: Hearne for information required. He should also state if his father was still serving in the regiment when Mr: Hearne himself enlisted.

(Signed) W. C. Lewis

Executive Engineer 12.3.95

To Mr: Hearne thro' the S.D.O Nilgiries

Forwarded

(Signed)

Assistant Engineer

13.3.95

(True copy)

S Hearne

25.11.98

Sub Conductor.

SUPG. ENGINEER'S OFFICE 11 FEB 99
EXECUTIVE ENGINEER'S OFFICE 29 JUL 99
EXECUTIVE ENGINEER'S OFFICE 2 DEC 98 SALEM
SUPG. ENGINEER'S OFFICE P.W.D. 15 MAR 99
EXECUTIVE ENGINEER'S OFFICE 29 AUG 99 SALEM

No. 477/28.3.95

27th March 1895

Ooty

To

The Officer in charge

Nilgeri Sub Division

Reference: Government of India P. W. D No: 523 I of the 20.2.95

Enclosures :

Sir,

I beg to inform my father enlisted and came out to India with the 12th Lancers, went to the Crimea with them from thence to England after the war. He came out again with them, served in the Mutiny, was then transferred to the 17th Lancers in which Regiment he died.

I beg to remain,

Sir,

Your Most obedient Servant

(Signed) S. Hearne

Sub Conductor

(True copy)

S Hearne

Sub Conductor.

25.11.98

SUPG. ENGINEER'S OFFICE, P.W.D., No 11 FEB. 99 COURT CIRCLE.
ENGINEER'S OFFICE, P.W.D. No 4316 15 MAR. 89
EXECUTIVE ENGINEER'S OFFICE 2 DEC. 98 SALEM.
EXECUTIVE ENGINEER'S OFFICE 29 AUG. 99 SALEM.

Extract from the Proceedings of the Madras Government Public Works Department No: 1237 d/ 14th May 1872.

No. 268

Establishment, No: 31

These Reports were called for with Reference to the Recommendations of the Public Works Commissioners contained in paragraphs 42, 43 and 44 of their Report, and those of His Excellency Lord Napier contained in clauses 13 and 14 of his Minute of 19th May 1870. They were to the effect that Europeans should not be employed in Situations below the rank of Supervisor, and should hold only one-third of the Upper Subordinate appointments, the remainder being available for Natives and East Indians; that a good knowledge of one vernacular should be insisted on from all Europeans; and that Assistant Engineerships should be conferred on Natives or East Indians who passed through the higher Department in the Civil Engineering College, and obtained the degree of B.C.E

2. The Government are of opinion that, under the Regulations drawn up by the Committee, one appointment to the grade of Probationary Assistant Engineer may be made of Natives and East Indians who have du qualified at the Civil Engineering College & University. More they do not think the limited Establishment of the Public Works Department will enable them to provide for, Seeing that provision has to be made in this Presidency fo

employment of one full battalion of Royal Engineer Officers; and that a proportion of the Students from the Cooper's Hill College will likewise have to be provided for.

29 JUL 99 P.W. SALEM

3. They direct that the number of European Soldier Students at the Civil Engineering College be eventually reduced from thirty to ten, the lesser number to retain the allowance of Rs 10 a month for messing money. - Nine will be admitted at the next entrance examination to be held on the 23rd and 24th of this month, in addition to the Seven already studying for Overseerships who must be provided for, and nine at each successive entrance examination. The Principal will apply the sum of Rs 50 a month to secure the services of two competent Tamil and Telugu Munshees, and arrange for these languages being made a separate subject of daily study.

EXECUTIVE ENGINEER'S OFFICE 29 AUG 99 P.W.D. SALEM

Entd 25.11.98

4. In concluding that Civil Scholarships were uncalled for, the Government are of opinion that the Principal of the Civil Engineering College has overlooked the increased demand for civil agency that would ensue from the withdrawal of European Soldiers from the competition for Overseerships. In addition therefore to ten Sapper Scholarships proposed by Captain Rogers, the Government propose to institute ten open Scholarships, fixing the emoluments of each at Rs 7½ a month, which will absorb the remainder of the available funds, leaving nothing for the purchase of models. The Principal will take the necessary measures for informing candidates of the terms of admission into the College and for holding the examinations.

5. As recommended by Captain Rogers the Standard for Bengal Overseers will cease to be used in Madras, and those to qualify for Supervisor and Overseer respectively will be 60 and 40 percent on the whole, and 35 and 25 per cent on each subject.

6. In passing these orders to carry into effect the recommendations of the Public Works Commissioners the Government do not pledge themselves to find immediate employment for all who may pass examinations for higher grades than that of overseer, or to offer a fixed number of Scholarships annually. The Department of Public Works has but a limited establishment on the vacancies in which appointments to and out of the College must depend.

(True Extract)

(Signed) G. W. Walker Colonel, R. E.,

Officiating Secretary to Government.

ENGINEER'S OFFICE, P.W.D.
No. 13/138
15 MAR. 99

EXECUTIVE ENGINEER'S OFFICE
29 JUL. 99
P. W. D.
SALEM.

EXECUTIVE ENGINEER'S OFFICE
29 AUG. 99
P. W. D.
SALEM.

SUB-ENGINEER'S
2 98

EXECUTIVE ENGINEER'S
2 DEC. 98

No 160 Yercaud
28·11·95

There was [illegible] the [illegible] which [illegible] received. I think this [illegible] for the [illegible]

EXECUTIVE ENGINEER'S OFFICE
1860 S
2 DEC. 95
SALEM.

To the

Exec. Engr.,
Salem Divn
Salem

Sir

30/11/95
What orders have been received on the subject.

With reference to the recent orders of the Govt. of India, on the grant of the Exchange Compensation to Sub Engrs. & Supervisors &c of the P.W.D. I most respectfully beg to submit my claim with retrospective effect to the Examiner P.W. Depts. In support thereof I beg to inclose a copy of a memorial submitted to the Chief Engr. about this time last year, in which is detailed the grounds on which I base my claim and request you will be so good as to

SUPG. ENGINEER'S OFFICE, P.W.D.
11 FEB. 99

SUPG. ENGINEER'S OFFICE, P.W.D.
15 MAR. 99

EXECUTIVE ENGINEER'S OFFICE
29 JUL. 99
SALEM.

Enclosures.
(1) Copy of memorial.
(2). 3 annexures &c.
Total 4

EXECUTIVE ENGINEER'S OFFICE
29 AUG. 99
SALEM.

SUPG. ENGINEER'S OFFICE, P.W.D.
2 SEP. 99

to forward the same at
your earliest convenience

I beg to remain

Sir

Your most obdt. servt.

S. Hearne

Sub Condt. Hubbligu

P.W.D.

EXECUTIVE ENGINEER'S OFFICE
29 JUL 99
SALEM.

SUPG. ENGINEER'S OFFICE
No. ....
2 SEP 09
Enclo ....

SUPG. ENGINEER'S OFFICE, P.W.D.
No. ....
15 MAR 89
Enclo ....
FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE
29 AUG 99
SALEM.

E. No. 2 to Endt. No. 513/4C

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 85 SL
11 FEB. 99
FOURTH CIRCLE.

A

EXECUTIVE ENGINEER'S OFFICE
29 JUL. 99

No 45/Exr

Forwarded to the Examiner P.W.D. as requested by Mr. Hearne.

Supg Engineer 4 Circle

13/2/99.

EXECUTIVE ENGINEER'S OFFICE
No. 2/2172
29 AUG. 99
SALEM

No. 84 S.E./9/2/99

Resubmitted with the covering letter of Sub Conductor S Hearne.

Executive Engineer

8/2

SUPG. ENGINEER'S OFFICE
2 SEP. 99
FOURTH CIRCLE

7504/99

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 44 SL
20 JAN 99

No. 44 S.E.

Forwarded to the Superintending Engineer, Fourth Circle, for disposal, with reference to G.O. No: 3126 W dated 6th December 1898, at the request of Sub Cond. ~~Mr~~: Hearne Sub Engineer.

SUPG. ENGINEER'S OFFICE, P.W.D.
No 39 Cor.
15 MAR. 89
FOURTH CIRCLE.

Executive Engineer
Salem Division

19/1

No 15/SL

Returned to the Exec: Engr. Only the concluding portion of Mr Hearne's letter has been sent

23/1/99 Supg: Engineer
4th Circle

30/1

SUPG. ENGINEER'S OFFICE
No. 481 SL
2 SEP. 99
FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE
22 AUG. 99

QUESTIONS TO BE ANSWERED BY OFFICERS CLAIMING EXCHANGE COMPENSATION ALLOWANCE.

Name of Claimant Samuel Hearne. Sub Condtr.

Office and Sub Engr. Public Wks. Depe.

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?	Born in India, but not domiciled vide paras 4. 6 and 8 of Jone memorialists petition herewith
2. Are you a European?	Yes.
3. Of what nationality was your father?	English
4. Of what nationality was your mother?	do
5. In what country were they married and when?	India, after the regiment came out.
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.	India, 1858.
7. In what country or countries were you educated and for how long in each?	India Regimental school until enlisted age 14. England 1897-98 on deputation to qualify in the management of Electric Light machinery &c.
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	India, age 14 when I enlisted
9. In what country was your father born?	England.

EXECUTIVE ENGINEER'S OFFICE
2/2172
29 AUG. 99
SALEM

i.e. long after enlistment when in P.W.D

Questions.	Answers.
10. In what country or countries was he educated and for how long in each?	England until the age of 18 when he enlisted
11. In what country or countries, and for how long, did he reside—	
(i) before you were born?	(i) England to 1853. India 1854. Crimea "war" 1855; England 1856. India
(ii) since your birth to the present time?	India 1857 to 1860. when he died whilst serving in the 17th Lance
12. If he was ever in India, state—	
(i) when?	In 1854, and 1857 to 1860.
(ii) for how long?	4 years.
(iii) in what capacity?	British Soldier. H.M. 12th and 17th Lancers.
(iv) (*a*) how often did he leave this country?	once.
(*b*) when?	1854.
(*c*) for how long?	1854 to 1857 when he went to the Crimea war, afterwards to England.
(*d*) in what capacity?	British Soldier
(*e*) in what countries did he reside during the periods of absence?	Russia and England.
13. If your father is dead, state in what country he died and when?	India in 1860. whilst serving in H.M. 17th Lancers.

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—	
(i) before you were born?	England, 16 years old when she came out with her parents with the regiment. 22 years.
(ii) since your birth to the present time?	India 35 years.
15. If she was ever in India, state—	
(i) when?	came out with the regiment 1836
(ii) for how long?	57 years.
(iii) in what capacity?	British Soldiers wife
(iv) (*a*) how often did she leave this country?	never
(*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?	India, 1893

E. No. 3 to Encl. No. 513/65

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?	Enlisted in 1872 in a British Cavalry Regt. 18th Hussars. Public Works dept. in 1883.
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.	Yes.
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.	Attestation paper d 12 March 1872 for the military dept. G.O. No. 2813 W d 8th Oct. 1883. Public Works "

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

STATION, Jercaud
Date 28. 8 1899.

S. Hearne
Sub Conductor
Signature of Claimant.
& Sub Engineer P.W.D.

SUPG. ENGINEER'S OFFICE
No. 481 SL
2nd SEP. 99

Enclo: No 4 to Endt No 513/W

3 Enclosures

S Hearne
Sub Engr
28/8/99

No A
28.8.99

Jercand

To the Exe. Engr.
Salem Div
Salem

Refer. Jne No 1335 S / 1.8.99

EXECUTIVE ENGINEER'S OFFICE
2172 L
29 AUG. 99
SALEM.

Sir

I most respectfully beg to forward the information called for regarding my claim for the Exchange. Compe Allowance

I beg to remain
Sir
Your most obt servt.
S Hearne
Sub Condr and
Sub Engr

29 8/11

No 424 SE/1-9-99 forward

Forwarded to the Supg Engr 4th C. with reference to his No 311/C d 25.7.99 — Pro 16

Papers

2/9

Executive Engineer

No. 8573/W

Submitted to the Chief Engineer, P.W.D. with reference to G.O. No. 183 W, dated 24th January 1898 and G.O. No 1192 W, dated 4th May 1899.

Enclos: 4. Supg. Engineer, 4th Circle.

Coimbatore, 8th September 1899.

7.9.99

P. W

(1899) Department.

CURRENT No. 6819

1454 C 3.4.94
2306 C 25.4.94
1149 W 11.6.94

Put up with C 2083 [illegible]

From The Dy Adjutant Genl

No. A/B.J. 12498

Dated 17-8-99

Received at Ootacamund 17-8-99

Registered at Madras 19-8-99

Enclosures { Plans
others 6 } total 6

Spare copies

SUBJECT.

Lieut. J. Kelly.
Regarding the grant of Exchange Compensation allowance to —

[P. W. 29. / 1,000—23-6-99.]

0 L S 506
R 12/10
Madras

SAW
875

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G O.	No.	Department.	Date.

Vellore 9th Augt. 1899

From
Honorary Lieut. & Asst. Commissary
J. Kelly

To
The Dy. Adjutant General
~~Army Head Quarters~~
Madras Command.

Sir,

Letter from Hono: Lt. & Asst. Comy. J. Kelly to the Ex. Engineer Vizagapatam Division 26-11-98

Letter from Hono: Lt. & Asst. Comy. J. Kelly d/ 12-6-99 to the Ex: Engineer Mili: Works Bangalore Dn: & a reply thereto.

Questions answered by the Offr. claiming Ex-Compensation. D/- 17-7-1899

Copy of letter from the Ex: Engineer Bangalore Dn: Mili: Works to the Examiner P.W.A Madras No: 2738 d/ 24-7-99

Letter No: 928 $\frac{A}{E}$ Madras D/. 26-7-99 from the Offg. Examiner of P.W. Acct. and a reply thereto.

In forwarding the marginally noted papers regarding my claim to Exchange Compensation I have the honor to state I submitted my application thro' the Executive Engineer Vizagapatam Division then my immediate superior who directed me to send in my application on a regular form which I could obtain on applying to the Superintdt. Stationary Madras which I did. Receiving no reply I again submitted my application through the Executive Engineer Mili: Works Division Bangalore (as I was at the time on leave at Bangalore and received my pay from that officer) who forwarded the same to the Examiner P.W. Depart: with remarks that I had established my claim to Ex-Compensation. The Examiner P.W.D. returned the papers with a form to be filled and returned and for remarks by the Ex-Engineer Military Works Division. The latter officer forwarded the papers with letter No: 2738 d/ 24th July '99 stating that under the ruling of Government India I was entitled to Ex-Compensation.

The Examiner in his No: 928 $\frac{A}{E}$ dated 26. July 1899 returned the papers to the

Ex:

Executive Engineer to instruct me to send my application direct to Govt. hence my reason for sending the papers to you and trust you will be pleased to forward the same to Govt.

I have the honor to be
Sir
Your most obdt. Servant

J Kelly
Honorary Lieut & Asst. Commy.

EXAMINER
ACCOUNTS
14 JUN. 1899

to No. 2134
13-6-99

25 JUL. 1899

Bangalore
26th November 18

From,
Honarary Lieutenant and
Asst. Commissary

To.
The. Executive Engineer
Vizagapatam Division

Sir

With reference to Finance Commerce Department, Resolution, No. 4847/5-11-98 para 243 published in Gazette of India Part I of 12/11/98 regarding exchange Compensation.

I have the honor to request you will please draw exchange Compensation for me from 1st April 1897 vide 468 rule XIII, also under resolution No. 4847/5-11-98 a refund of the amount of (Rs 300). exchange Compensation recovered from my Salary in October 1894.

I have the honor to be
Sir
Your obedient Servant.
Sd. J. Kelly
Honarary Lieutenant
& Asst. Engin

True copy
J Kelly Lt
Asst Engr

2735/99

1

P. W. ACCOUNTS.
25 JUL 1899
No.

Bangalore.
12th June 1899

From,

Honarary Lieutenant and
Asst. Commissary

To.

The Executive Engineer
Military works. Bangalore Divisi

Sir,

1. I beg you will please take steps to have my claims to exchange Compensation as well as a refund of the amount of (Rs 300) excha Compensation recovered from my Salary for Octobe 1894. Settled.

2. Prior to the rules granting exchange Compensation I used to remit to England quarterly through the Controller Military Accounts a part of my Salary which after date of order, granting exchange Compensation the Cont Military accounts, declined to continue on the p that I was granted exchange Compensation, and was forced then to remit through Messrs Ashm & Co.

3. When the order granting exchange Compensa first came out I drew it for a time, but in Oc

2738/99

October 1894 it was stopped and Rs 300/
Exchange Compensation recovered from my Salary
for October 1894 pending reference to Government.

4. On receipt of G. O. India No 4847/5-11-98
para 3 and 38 I again applied for exchange
Compensation vide copy of letter (copy enclosed)
and filled in a form, but have heard nothing
further on the Matter.

That I am entitled to exchange Compensation
is clear from the above ruling of Government
unless (1) I am considered a Statutory Native of
India or (2) of being born of parents habitually
esidents of India.

With regard to (1) G. O. of India No 2422
of 31-5-97 part 4 makes this impossible
(2) My Father Came out to India as a Soldier
and died while so employed. Further the Military
Subordinates in the Barrack and Military works
Department born and enlisted in India
of European Parentage have I believe been
passed exchange Compensation under the G. O.
above quoted. The mere fact of my enlisting
in the British army and attaining the warrant
Honarary Commissioned Officers grades entitles
ne to all the previlleges of a British Soldier
ven to claiming a passage home to England
ide A. R. I. vol I Part I para 301 A. as amended
y G. O. C. No 13 of 1893. M.W. No 2523C d/ 30-12-93
On this I maintain that I am not a Statutory
ative of India a neither can India be called
Called my Domicile.

EXAMINER
P. W. ACCOUNT
14 JUN 1899
No. 1129 A.

I have the honor to be
Sir
Your obedient Servant
J. Kelly
Honary Lieutenant & Asst. Commissary

No 2134 dated 13th June 1899

To
The Examiner P. W. Accounts
Madras.

Forwarded in original for adjustment of claims.

Lieut: T. Kelly has in my opinion fully Established his claim to Exchange Compensation allowance and proved that he is not a statutory native of India.

The Amount of Rs 300/- on account of the Exchange Compensation allowance disallowed to Lieut: T. Kelly in 1894 pending the decision of Government, has also been claimed by him and as it was not a final disallowance but only one pending further resolutions, the refund appears permissible.

A.K. Reynolds
Captain R.E.
Executive Engineer,
Bangalore Dn. M. W.

Enc: 1

OWE 4
6819/99

EXAMINED,
P. W. ACCOUNTS,
25 JUL 1899

QUESTIONS TO BE ANSWERED BY OFFICERS CLAIMING EXCHANGE COMPENSATION ALLOWANCE.

Name of Claimant John Kelly

Office Honry: Lieutenant & Assistant Commissary

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?	My Parents could not be habitually resident of India as my father was a Soldier in the British Army & died while so employed. but what about his mother
2. Are you a European?	Yes
3. Of what nationality was your father?	Irish
4. Of what nationality was your mother?	English
5. In what country were they married and when?	In India 1844
6. In what country were you born and when?	India 1845
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?	India
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	India
9. In what country was your father born?	Ireland

2738/99

Questions.	Answers.
10. In what country or countries was he educated and for how long in each?	Ireland up to date of Enlisting in British Army
11. In what country or countries, and for how long, did he reside—	In Ireland for 20 yrs. In India till he died
(i) before you were born?	20 in Ireland 8 in India
(ii) since your birth to the present time?	In India till he died 1874.
12. If he was ever in India, state—	
(i) when?	From 1837 to 1874
(ii) for how long?	
(iii) in what capacity?	Soldier on staff Employ
(iv) (a) how often did he leave this country?	Once
(b) when?	1852
(c) for how long?	Two years
(d) in what capacity?	Soldier
(e) in what countries did he reside during the periods of absence?	Burmah
13. If your father is dead, state in what country he died and when?	India 1874

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—	After Marriage Service
(i) before you were born?	
(ii) since your birth to the present time?	India
15. If she was ever in India, state—	I left my parents before I was 12 years old and have been since in the three presidencies in England and Ireland and as there is not a soul in my father or mother side living in India to whom I could apply for information asked, therefore it is not easy for me to answer those questions All I do know is that my mother married & died in India, that my father died while in the Army as Barrack Supt. at Vizagapatam
(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?	India 1898

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?	I enlisted in India in H. M. 102 Regt. Foot
18. To what office, service, or department were you first appointed and when?	Military Service
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.	NO. In the British Army from 1859 to 99. On staff employ in P.W. De- from 1868 to 1899

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.

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

STATION, Vellore

Date 17 July 1899.

J. Kelly
Signature of Claimant.

PWE3
18/9/99

Office of the Executive Engineer Bangalore
Division Military Works.
Bangalore July 1899

Copy of letter from the Executive Engineer Bangalore Division Military Works. to the Examiner, Public Works Accounts Madras No: 2738 d/. 24' July 1899.

With reference to your No: 818 $\frac{A}{E}$ dated 28" June 1899. I have the honor to forward herewith the statement received with the above quoted number filled in, and signed by Lieut: Kelly.

2 With regard to the ruling laid down in Government of India Finance Department Resolution No. 4847 Fn: dated 5' November '98 para 3 ii the grant of the allowance to military members of the Upper Subordinate classes is admissible provided they fulfil the conditions laid down in the last clause of para 1. i.e. that they are not natives of India. Article 45 of the Civil Service Regulations defines a native of India as "Native of India means any person born and domiciled within the dominions of Her Majesty in India, or within the territories of Indian Provinces tributary to or in alliance with, Her Majesty of parents habitually resident in India and not established there for temporary purposes only.

3. Lieut: Kelly's father was apparently not a permanent resident of India inasmuch as he was a soldier and resided in India while he was in the Army and staff employ and died while in the service.

4. His claim is therefore admissible under the rules laid down in the Government of India Finance Department quoted in para 2.

5. Please furnish me with a copy of letter No: 523 G. dated 20' February '95 from the Government of India.

True Copy
Sd/ A.G. A. Cooper
Accountant

J. Kelly
Hono: Lt & Asst Commissary

N.B.—In any future communication on this subject, the number and date of this letter should be quoted, and the communication should be addressed to the Examiner, Public Works Accounts, Madras, and not to any officer by name.

EXECUTIVE ENGINEER'S OFFICE,
BANGALORE DIVISION, M. W.
R. No. 3257
28 JUL. 1899
C. No. 2

FROM H. RAINIER, ESQ.,
OFFG. EXAMINER OF P.W. ACCOUNTS,
MADRAS AND COORG,

To

The Executive Engineer,
Bangalore Division,
Military Works.

No. 928 $\frac{A}{3}$ Madras, 26th July 1899.

SIR,

In returning the papers received with your letter No 2738 dated 24th: Instant in connection with the grant of Exchange Compensation allowance to Lieutenant J.Kelly I have the honor to request you will instruct that officer to forward his application direct to Government for disposal.

2. With reference to para 5 of your letter asking for a copy of Government of India No.523 G dated 20th: February 1895 I would suggest that application be made to Government fo a copy of the same.

I have the honor to be,
Sir,
Your most obedient servant,

H Rainier

Offg: Examiner P.W.Accounts,
Madras & Coo

Enc: 3

II

No. 2852 dated 1st August 1899

Hony. Lt. J. Kelly
in Ch. Pensioners
Vellore

Forwarded for Compliance.

A.R. Reynolds
Capt. R.E.
Ex. Eng. B. D'mw

8 PWE1/6819/99

Fort St. George,
OFFICE OF SUPERINTENDENT OF FAMILY PAYMENTS
AND PENSIONS,
11th August 1899.

MEMORANDUM No. 2867.

Diary No. a15318
Recd 12 AUG. 1899
Branch BT

Forwarded.

R.F.P. Fornby

Captain,
Superintendent of Family Payments
and Pensions.

To

The Dy. Adjutant General,
Madras Command,
Ootacamund.

Exd. by

Public Works (1899) Department

CURRENT No. 826

Order

From The Supg Engineer 1 5 Circle.

No. 562 W.

Dated 6/7 October 1899.
Received } 9-10-99
Registered }
Enclosures 2 Plans - nil } Total
Others - 2 } 2
Spare copies

SUBJECT.

Captain J. Lalor.

Forwards for disposal an application for the grant of Exchange compensation allowance submitted by

4904 - 2472W = 7553
2668W/98 =

SAW

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

QUESTIONS TO BE ANSWERED BY OFFICERS CLAIMING EXCHANGE COMPENSATION ALLOWANCE.

Name of Claimant John Lalor

Office Officiating Executive Engineer Chingleput Dn.

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?	Irish
4. Of what nationality was your mother?	Do.
5. In what country were they married and when?	India, about 1846
6. In what country were you born and when?	Do. 1847
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?	S. India
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	Do.
9. In what country was your father born?	Ireland

Questions.	Answers.
10. In what country or countries was he educated and for how long in each?	Ireland. 18 Years.
11. In what country or countries, and for how long, did he reside—	D° do ——— D° —
(i) before you were born?	D° ——— D°
(ii) since your birth to the present time?	India D° do ——— 30 Years ~~D°~~
12. If he was ever in India, state—	
(i) when?	1870
(ii) for how long?	about 30 Years
(iii) in what capacity?	British Soldier
(iv) (*a*) how often did he leave this country?	Not to my Knowledge
(*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?	Died in S. India 1870.

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—	
(i) before you were born?	S. India
(ii) since your birth to the present time?	Died in 1855
15. If she was ever in India, state—	
(i) when?	At the time of marriage vide 5.
(ii) for how long?	15 Years
(iii) in what capacity?	—
(iv) (*a*) how often did she leave this country?	Never
(*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?	Died in S. India in 1855.

SUPERINTENDING ENGINEER
No. 1774 En
23 SEP 1899
V. CIRCLE, P.W.D., MADRAS

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?	vide Classified List & P. W. D. Govt. Madras of 30th June 1899. Page 18.
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.	

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

STATION, Madras
Date 19th Sept. 1899.

J. Lalor
Signature of Claimant.
Offg Executive Engineer
Chingleput Dn

PWE1
269/99

Letter from Captain J. Lalor offg. Executive Engi
Chingleput Division, to the Suptg. Engineer, 5 Cir
No. 349 S.E. dated 19th September 1899.—

I have the honour to forward enclos
application with "Questions to be answered
by officers claiming Exchange Compensation a
lowance" of Captain J. Lalor for transmission
to the Chief Engineer.

2. When forwarding this application be
good as to attach to the application Letter No 10
x Copies, subjoined dated 1st March 1899 and letter No. 1065 dated 20 Ma
1899 from Captain Lalor addressed to the Exec
Engineer, Chingleput Division already forward
to you.

—

Letter from Captain J. Lalor Assistant Engineer & S
South Sub Division, to the Executive Engineer
Chingleput Division, No. 1036 dated 1st March

I beg you will submit this my applica
for exchange compensation allowance with effec
from 1st April 1899 in accordance with G.O. No.
dated 3rd February 1899.

2. Under para 3 ii (a) of Government of I
Finance and Commerce resolution No. 4847

da

ated 5 November 1898 communicated with G.O. No
26 dated 6 December 1898. Warrant Officers have
en unreservedly declared to be entitled to the
llowance and I pray that instructions may be
sued to the Examiner to pass it to me from the
ate mentioned above.

My father was a British Soldier, enlisted
Ireland and died in this country. I enlisted
this country and am also a British Soldier
 Subject and am not a native of India, within
 definition of that term in Statute 33 Victoria
ap 3 Section 6. I am liable as an effective soldier
serve Her Majesty in any part of Her Dominions.

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 from Captain J. Lalor Assistant Engineer and S.D.O.
 Sub Division to the Executive Engineer, Chingle-
 Division, No 1065 dated 20 March 1899:—

With reference to your No. 4720 of 16 March 1899, I
e the honour to report that what the Government
India did before, has no concern with the present order.

The former decision was with reference to domicile.
 question does not now enter into the subject.
 that is necessary under the present rules is
rove that I am not a Native of India and
 mere fact that I am a British Soldier
blishes my claim to Exchange Compensation
rance.

I request you will kindly send my claim
on to the Government for a decision on the ma
I am informed that several similar claims are
being sent in.

(True Copies)

Colonel R.E.
Supg. Engineer 5 Circle

[illegible] 17

No. 562 W.

SUPERINTENDING ENGINEER'S OFFICE

V Circle, Madras,

Chepâk, 6/7 October 1899.

From

Colonel A W Smart R E.

SUPERINTENDING ENGINEER,

V CIRCLE.

To

THE Chief Engineer,

P. W. Department.

Enclosures. 2

Application

Copy of correspondence

SIR,

I have the honour to forward for disposal an application for the grant of Exchang compensation allowance, submitted by Captain J Lalor.

Copy of Captain Lalor's letter No. 349 SE dated 19 September 1899 submitting the application, and of his letters No. 1036 dated 1 March 1899 and No. 1065 dated 20 March 1899, are also forwarded in connection with the application.

I have the honour to be,

Sir,

Your most obedt. Servant

A W Smart

Colonel R