

Public Works (1899) Department.

RAILWAY BRANCH.

Print
G.O., No. 541. *Ry*

DATED 8th May 1899.

Includes. 253-540373-3-99

$\frac{120}{5}$

[Despatch Abstract.]

Exchange Compensation Allowance

Coming to the Agent, S. Ry. letter from the Govt of India passing orders on the question as to whether — is he reckoned as salary & as such ~~is~~ liable to attachment by a Civil Court.

Government {1899} of Madras.
PUBLIC WORKS.

} 1899.

Spare copies

G.O., No. 541 Ry., 8th May 1899.

MAY.

Exchange Compensation Allowance

Communicating to the Agent, South Indian Railway, letter from the Government of India passing orders on the question as to whether — is to be reckoned as salary and, as such, liable to attachment by a Civil Court.

No. 541 Ry., 8th May 1899.

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

Railway.

Read the following papers:—

From—The Agent, South Indian Railway.
To—The Consulting Engineer for Railways, Madras.
Dated—Trichinopoly, 20th February 1899, No. 153.

A question having arisen as to whether exchange compensation is to be reckoned as "Salary" and, as such, liable to attachment by a Civil Court, I have the honour to request, at the suggestion of the Examiner of Railway Accounts, that you will kindly favour me with a ruling on the point.

Order—No. 253 Ry., dated 3rd March 1899.

The Government of India will be addressed.

From—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
To—The Secretary to the Government of India, Public Works Department.
Dated—Madras, 3rd March 1899, No. 254 Ry.

I am directed to refer, for the orders of the Government of India, a question raised by the Agent, South Indian Railway, as to whether exchange compensation allowance is to be reckoned as "salary" and, as such, is to be liable to attachment by a Civil Court.

2. Exchange compensation allowance does not partake of the nature of any of the allowances which, in the opinion of the Advocate-General to the Government of India contained in its Circular No. 9 P.W., dated 29th June 1898, do not constitute "salary" for the purposes of Court attachments, and it is doubtful whether as an allowance granted for a specific purpose exchange compensation allowance is not also exempt from attachment.

From—The Secretary to the Government of India, Public Works Department.
To—The Joint Secretary to the Government of Madras, P.W. Dept., Ry. Branch.
Dated—Simla, 18th April 1899, No. 703 R.E.

With reference to your letter No. 254 Ry., dated 3rd March 1899, in which enquiry is made whether exchange compensation allowance is to be reckoned as "Salary" and whether, as such, it is liable to attachment by a Civil Court, I am directed to state that exchange compensation allowance is an addition to salary granted on account of the depreciation in the value of the currency in which salary is paid and should be counted with salary proper for the purposes of section 266 (h), Civil Procedure Code.

ORDER—No. 541 Ry., dated 8th May 1899.

Communicated to the Agent, South Indian Railway, with reference to his letter No. 153, dated 20th February 1899.

(True Extract.)

FRANCIS J. E. SPRING,
Joint Secretary.

To the Agent, South Indian Railway.
" Consulting Engineer for Railways.
" Examiner, Guaranteed Railway Accounts.
" Agent, Madras Railway.
" Financial Department.

Exd. W. D'Moss.

No. 153

South Indian Railway Co., Ltd.,

AGENT'S OFFICE,

TRICHINOPOLY, 20 February 1899.

From

The AGENT,

SOUTH INDIAN RAILWAY,

To

The CONSULTING ENGINEER FOR RAILWAYS,

MADRAS.



Sir,

A question having arisen as to whether Exchange compensation is to be reckoned as "Salary" and as such liable to attachment by a Civil Court, I have the honour to request, at the suggestion of the Examiner of Railway Accounts, that you will kindly favour me with a ruling on the point.

*I have the honor to be
Sir*

Your most obedient servant.

A. D. G. Shelley.

Capt. R. E.

Agent

M. S. D.

% C.R. for issue of quinn

2/2 99

Madras, 21st February 1899.

No. 597

541 R

OFFICE NOTE.

Letter from the Agent, South Indian Railway, No. 153, dated 20th February 1899, forwarded to the Examiner of Railway Accounts for remarks.

a/B

for E. R.

EXAMINER'S REPLY.

Exchange Compensation allowance does not partake of the nature of any of the allowances which in the opinion of the Advocate General to the Government of India do not constitute "Salary" for the purposes of Court attachments. Vide G. of I. Circular No. 9 of June 1898. It is doubtful however whether Exchange Compensation allowance as an allowance granted for a specific purpose is not also exempt from attachment, and if approved, the question may be referred

23/2/99

Refer India to Circular No. 9 of June 1898 & ask for a ruling

27/2/99

From
THE AGENT,
South Indian Railway,
Trichinopoly.

To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Dated
Received
No.
ENCLOSURE
18

To the Government of India for an
authoritative ruling.

W. Allen

C. L.

22.2.99

Ans

Form No. 1.

189

Again G.O., dated

Again G.O., dated

ER's Current No. 959

" "

" "

PUBLIC WORKS DEPARTMENT,

RAILWAY BRANCH.

Papers to be read in Proceedings:—

189 , No.

189 , No

of 1899, dated 21-2-1899, from the Agent, S.I.R.

" 189 , " , "

" 189 , " , "

2 P

ORDER.

No. 253. Ry. dated 3/3/99.

The Government of India
will be addressed.

No. 254. Ry.:d/ 3rd March 1899.

To.

The Secretary to the

Government of India, P.W.D

Sir,

I am directed to refer for
the orders of the Government of
India a question raised by the
Agent, South Indian Railway as to
whether Exchange Compensation Allow-
ance is to be reckoned as "salary"
and as such is to be liable to
attachment by a Civil Court.

2. Exchange Compensation Allow-
ance does not partake of the nature
of any of the allowances which in
the opinion of the Advocate General
to the Government of India con-
tained in its Circular No. 2 P.W.,
dated 29th June 1898, do not consti-
tute "salary" for the purposes of

D. R.

11/3/99.

CURRENT No. 606

Read.
 No. 253-254 R of 3.3.99
 letter from the Gov. of India
 No. 703 R of 18.4.98

Printed

Order

From

from The Govt. of India

Agree S. I. R., with reference to
his letter 2^o 153 dated 20-2-99

No. 703. R. 2.

Dated the 18th April 1899

Received 4/28/11

Registered } - 1. 5-99

Enclosures

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SUBJECT

SUBJECT.
Exchange Compensation Allowance

1891 Passing orders on the question
as to whether — is to be reckoned
as salary & as such is to be
liable to attachment by a
Civil Court

S. S. S.

FURTHER PAPERS.

PUBLIC WORKS DEPARTMENT.

Simla, the 18th April 1899.

Sir,

E

Sir,

G. H. Walker

Nil.