Financial (1895) Department.

ORDINARY MS.

G.O., No. 669, 670

Dated 6th Sept. 1895.

[Despatch Abstract.]

EXCHANGE COMPENSATION ALLOWANCE

Addressing the Government of India regarding the claims of Mr.E. H.D.Sewell, an Inspector in the Salt and Abkari Department of this Presidency, to draw -- and submitting in connection therewith copy of the form duly filled in by him.

BACK PAPERS.

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

FURTHER PAPERS.

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

[G/11]
3 60 —8-8-95.

ORDINARY, MS.

Panama DEPARTMENT.
G.O., DATED 6—5—95
No. 665-70

INDEXED.

9/10

When given for copying. 9/5

[Despatch Abstract.]

Addressing the Sec^y of State regarding the claims of Wm E. H. Stowell an Inspector in the Salt Division of the Receivership of Panama Exchange Compensation allowances & deductions in connection therewith, copy of the form duly filled in by him.

D 13/5

BACK PAPER, No. OF 189 .

FURTHER PAPER, No. 2546 OF 1895.

READ AGAIN ORDER OF GOVERNMENT, DATED 189 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT	A	A
LETTER OF GOVERNMENT.		
STATEMENT WITH DITTO.		
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).		

N.B.—

A — Copy in full.
B — Not to be copied.
P — Copy abstract only.
Q — Copy heading only.

27
12

REVENUE BOARD OFFICE MADRAS.

Proceedings of the Board of Revenue

(Separate Revenue),

Dated 18th June 1895.

No. 2549 Mis

Mr. E. H. Dalrymple Sewell

Read the following letter from the Assistant Inspector (First Grade) Vedaranniyam Factory (Vedaranniyam) Circle dated 7th May 1895.

"I have the honor to submit this, a Supplemental application to the Application already submitted by me in June 1894, stating herein what I consider to be further claims on Exchange Compensation Allowance in my favour, and claims which I omitted to mention in my final application.

2. My father, Lieut. A. Fane Sewell, M. S. C. retired, has drawn Exchange Compensation

Compensation Allowance for some time. My brother, Mr. Jack Sewell, of the Berar Police, Hyderabad Assigned Districts, who entered that force in 1884, has been, and is now drawing Exchange Compensation Allowance.

3. I humbly beg that these strong claims may be given full Consideration when my case is before the higher authorities.

4. A receipted Bill for arrears due in the event of my being allowed & draw Exchange Compensation Allowance, is herewith attached."

Read Endorsement thereon of the Inspector Cowlong Circle dated 7th May 1895, No. 464 Submitting the letter read above to the Assistant Commissioner, Chingleput Sub Division.

Read also Endorsement of the Assistant Commissioner, Chingleput Sub Division dated 28th May 1895 No. 2034 Submitting the letter read above & the Deputy Commissioner Central Division

Read also the following Endorsement thereon of the Deputy Commissioner, Central Division dated 2nd June 1895, No. 2342

"Submitted to the Secretary to the Commissioner of Salt, Abkari and Separate Revenue,

2. Presumably Mr. Sewell and others like him will eventually get the allowance but that will not repay them for the bitter heart burnings they have had forced on them by its term porary refusal

If they do not get it the injustice to them as individuals will be beyond words."

Resolution.

27-28
12-1-95

Submitted to Government in Continuation of Board's Proceedings No. 5145 Mis dated 29th November 1894.

2. The bill received with the letter read above will be held in abeyance pending the disposal of Mr. Sewell's claim by Government.

(True Copies and Extract)
Commissioner
Assistant Secretary

To The Secretary to Government
Financial Department
Copy to the Deputy Commissioner
Central Division

27/8: 12.1.95.
433: 5.6.54

4,000 copies.
20-3-94.

1491
Fin. Dept.

1895.

Board of Revenue

(Separate Revenue),

MADRAS.

To

The Secretary to Government

Financial Department

Ref Petn of Salt Officers for Exchange Allowance since 1892. Also Memorial of Salt Officers for Exchange Allowance since 1892. Also Memorial of Salt Officers for Exchange Allowance since 1892. Also Memorial

page 2 of G.O. ✓ 16th May 1895, No 391, it stated that the principles upon which exchange compensation allowance has hitherto been granted were then under its consideration. No further communications on this subject has yet been received.

Orders are solicited whether W. Sewell's case should be sent to the Govt. of India. There can be no doubt that in face of the ruling in Wauchope v. Wauchope W. Sewell's domicile cannot be considered non-Indian. The facts that his father (who has now retired in Madras, it is believed) this brother have drawn or do draw the allowance only points to the conclusion that their cases have not been properly enquired into. The rules must be taken, it is submitted, as they now stand.

CS. 29.11.95

1/7/95

Exchange Compensation

W. Sewell

FOR ORDERS.

HON'BLE MEMBER.

Mr. Sewell's case sent to the Govt. of India, pointing out that Mr. S's father has distinctly continued his Indian domicile, & remaining living in Madras after retirement.

3/7/95

CS.

Memo No. 1576 dt 8.7.95

The Board of Revenue is requested to furnish ~~one copy~~ (in duplicate) a copy of the form referred to in para 2. of G.O. ✓ 1.2.95, No 101, duly filled in sequel to Mr. Sewell.

CS. 4/7/95

6/7/95

Board of Rev (Sep. Rev)-(2)

Mr. Judd wants this form filled in - vide cases of Messrs Sherman & Mawaring

CS.

CURRENT No. 1994

REVENUE BOARD OFFICE MADRAS

Proceedings of the Board of Revenue

(Separate Revenue).

Dated 10th August 1895,

No. 2122 Routine.

Read Memorandum from the Government of Madras, Financial Department dated 8th August 1895

Resolution:—

The Inspector, Covelong circle, is requested to expedite the submission of Assistant Inspector Mr. Sewell's answers to certain questions relating to his claim to Exchange Compensation allowance, called for in Board's Proceedings No. 2947 Revn dated 13 July 1895.

(True Extract)

Edmund Willett
Assistant Secretary

To

The Inspector, Covelong circle

Copy to the Secretary to Government Financial Department.

12/8

CURRENT No. 1994

Financial Dept

1895.

Board of Revenue

(Separate Revenue),

MADRAS

To

The Secretary to Government

Financial Department

CHIEF SECRETARY'S OFFICE 14 AUG 1895

Recd 14/8.
Regd 15/8

Proceedings, dated 10th August 1895,
No. 2122 Confdl.

Subject.

Directing the Inspector, Cuddalore circle, to expedite the submission of Mr Sewell's answers to certain questions relating to Exchange Compensation Allowance.

V. To await further report.

CS
15/8

1154
9/12/93

Questions.		Answers.
1. Are you a European or a Eurasian ?	1	European
2. What was your father's nationality ?	2	English
3. In what country was your father born, and where was he educated ?	3	In India (Madras) Educated in England
4. In what year did your father first come to India ?	4	Born in 1838 in Madras: came out in April 1857 as an Infantry cadet in H.E.I.C.S.
5. If your father is still living, in what country is he? If dead, in what country was he at the time of his death, and in what year did his death occur ?	5	(i) In India (ii) still living
6. What profession or service did your father follow while in India? If he came to India before 1858, was he in the service of the Honorable East India Company or of the Crown ?	6	(i) The Army. in the Madras Staff Corps (ii) Yes; in the H.E.I.C. Service in the 40th Regt: N. I.
7. Did your father ever leave India after his first arrival in the country? If so, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion ? Did he spend these periods of absence in Europe ?	7	Yes. (i) On 4 occasions (ii) 1847 as a child : 1867 on medical cert: 1877 : 1885 (iii) 10 years : 20 mos on medical certificate : 20 mos : on med certificate 18 mos (iv) always in England & Scotland.
8. In what year were you born ?	8.	1872
9. Were you born in India or in Europe ?	9.	India

Questions.	Answers.
10. * If you were born in India, have you ever left this country? If so, please state (1) on how many occasions you have left it, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence? * NOTE.—It is essential that this question should be answered fully.	10 Yes. (i) On 3 occasions. (ii) in 1875; 1877; 1885 (iii) 3 mos.; 4½ yrs; 7 years The periods of absence were spent in England with occasional short periods of 2 or 3 weeks to 6 weeks in France, Germany, & Switzerland.
11. * If you were not born in India, in what year did you first come to this country? If you have ever left India since your first arrival, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence? * NOTE.—It is essential that this question should be answered fully	11.
12. In what year did you enter the public service, and in what capacity? In what Department are you now employed?	12 On February 18th 1894 as a First Grade Assistant Inspector in the Madras Salt & Abkári Revenue Department.
13. If any interval elapsed between your first arrival in India and your employment in Government service, please state in what profession, service, or other employment, if any, you passed this interval.	13. An interval of ~~nineteen~~ twenty-three (2-3) months elapsed between my arrival in India on this occasion and my employment in Government service, during which period I was not in any employment.
14. In what country were you educated?	14. England
15. Are you married? If so, in what country, and in what year were you married?	15. i Yes ii In India iii In 1894
16. If you have any children, please state their present ages, and in what country each of them has been or is now being educated?	16. No
17. Is it your intention to settle permanently in India, or in Europe, when you retire from the service of Government?	17. I hope to settle permanently in England when I retire.

1895 Fin Dept. Proc. No. 2 To 262

Vadasemanjin ~~Factory~~
Coveloug Circle
Chingleput Sub Divn

Ex Dalrymple Lewis
14/8/95

CURRENT No. 262

REVENUE BOARD OFFICE MADRAS

Proceedings of the Board of Revenue

(Separate Revenue).

Dated 19th August 1895,

No. 3501 Mis

Read endorsement of the Inspector, Covelong circle, dated 14th August 1895, S. No 881/14-8-95 submitting the forms relating to his claim to exchange Compensation allowance duly filled up.

Resolution

Mr Lewell's answers (in duplicate) to certain questions in regard to his claim to Exchange Compensation allowance received with the letter read above, will be submitted to Government in original with reference to Government Order dated 8th July 1895 No 1576, Financial Department.

(True Extract)

A Runtin
Ag Assistant Secretary

To The Chief Secretary to Government
Financial Department
with 2 statements in original.

End Rev/2098

Q = O[illegible]eading only

CURRENT No. 2062

Financial Dept

1895.

Board of Revenue

(Separate Revenue),

MADRAS

To

The Chief Secretary to
Government
Financial Department

CHIEF SECRETARIAT
22 AUG. 1895
GOVERNMENT OF MADRAS

Recd 22-8-95
Rep: 23-
Encls: 2

Encl 2

Proceedings, dated 19 August 1895.
No. 3501 Mis

Subject.

Submitting to Government. Mr Sewell's answers to certain questions in regard to his claim to Exchange Compensation allowance.

Papers re Exchange Comp: allowce of the Salt Officers are with the Sct (Cuos 2010+1969).
HS

[G. 25.]
50 -21-5-95.

Financial DEPARTMENT.

C. Nos 1491, 1994 & 2062.

FOR ORDERS.

In his note on C. No. 1491, the Hon'ble Member directed that the claim of Mr. E. H. D. Sewell to Exchange Compensation should be sent up to India. The Board of Revenue was accordingly requested to obtain furnish a copy of India's form of questions duly filled in & signed by Mr. Sewell. India always asks for this form. This has now been received with C. No. 2062.

Attention is solicited to the replies to the fourth and seventh questions from which it appears that Mr. Sewell's father was born in India & previous to entering the service of the E. I. Co, spent only 10 years in England. Apart from the ruling in Wauchope v. Wauchope, it seems very doubtful whether Col. Danc. Sewell ever had any other than an Indian domicile of origin. The recent breaking up of his

establishment at Madras does not, it is understood, indicate a departure from the country as he has, it is believed, gone to Bangalore. In C. No. 3177 in G.O. of 12.1.95, No. 27, the Board stated that Col. Jane. Sewell "came to India" in 1857. This was correct so far as it went but the fact that he was born in India had left it for only 10 years put a different complexion on the statement. So long as India adheres to the domicile test there seems to be no other course open but to reject claims such as the present one. Orders are solicited whether, under the circumstances now brought to light, Mr. Sewells' case should be sent up to India. It is of course no concern of this Govt' whether Mr. Sewells brother in the Berars police draws this allowance or not, but the fact makes this Govt's decision appear hard to Mr. Sewell. Should India's attention be drawn to the matter, it being pointed out that this inequality of treatment in different Provinces unnecessarily causes discontent when the rules are strictly applied?

C.S.
24.8.95

Exchange Compensation

Mr. Sewell

So I hear
WS

FOR ORDERS.

HON'BLE MEMBER.

under the circs, better send the case up, I think
WS

WS
31/8/95

JA
29/8/95

C36/10
31/8

Cud. 1

Financial Department.

C. Nos. 1491, 1994 & 3063.

2 enclos

ORDER dated 6th September 1895, No. 669.

Mr. Sewell's case will be submitted for the orders of the Govt. of India.

From ord'rs

C.S.
3.9.95

10

The Board of Revenue (S.R.).

dated 14/9/95

LETTER No. 670.

TO

The Secretary to the Govt. of India,
Finance & Commerce Dept.

dated 14/9/95
with all

SIR,

I am directed to address you regarding the claims of Mr. E.H.D. Sewell, an Inspector in the Salt and Abkari Department of this Presidency, to draw Exchange Compensation allowance and, in connection therewith, to submit copy of the form referred to in your letter dated 25th January 1895, No. 418 Ex duly filled in by him.

2. Mr. Sewell's father (Col. Fane Sewell) was born at Madras in 1838 and after having spent ten years in England

4/9/95

80. 101
1.2.95

England returned to India in 1857 as an Ensign in the service of the East India Company. He subsequently entered the Madras Staff Corps and proceeded to England on leave on medical certificate on three occasions - in 1867, 1877 and 1885. He has recently retired, the last appointment held by him having been Superintendent of Family Payments and Pensions. He has not left the country on retirement but has, it is understood, settled in Bangalore.

8. Mr. Sewell was born in India in 1872, left the country in 1875 for three months, and spent 11½ years of the period 1877 to 1893 in England and on the Continent. After his return to India in the year last-mentioned he was without employment until February 1894, when he was entertained as an Assistant Inspector in the Madras Salt and Abkari Dept.

4. Apart from the ruling in Wauchope v Wauchope referred to in the case reported on pages 106 to 115 of the Indian Law Report Calcutta Vol. IV, it seems doubtful whether Col Fane Sewell has ever possessed any other than an Indian domicile.

Under the ruling he certainly acquired a domicile by accepting service under the East India Company and he has distinctly continued that domicile by remaining resident in India after retirement. Mr. Sewell has not destroyed the domicile acquired by him from his father and, under the rules as they now stand, he is not entitled to draw the allowance.

5. Mr. Sewell has however, in support of his claim, brought to notice the facts that his father drew the allowance and that his brother Mr. J. Sewell of the Berar Police, Hyderabad Assigned Districts, who entered that force in 1884, is doing so at the present time.

6. I am directed in submitting this case for the orders of the Govt. of India, to observe that this inequality of treatment in different provinces unnecessarily causes discontent when the rules are strictly applied as they are in this Presidency and to express the hope that the decision on this and other cases now before the Govt. of India may be communicated at an early date.

C.S. 3/9/95

L.D. 31/8/95

I Com Order

Exchange Commercial

Mr Sawada

Rom orders

Mr

mit

For approval

R

When given for copying
When copied
When examined
When signed
189

READ AGAIN G.O., No. DATED
189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

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C49
5/9