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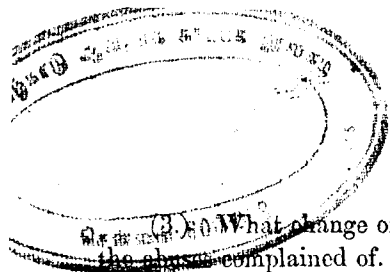
Report on the Abkari
System of the
Coimbatore District
1860

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McKerry System
of the Coimbatore
District. Report on the
1880.

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(3) What change of system is desirable with the view of checking the abuses complained of.

5. They now forward with their remarks several letters from officials and private individuals, fully showing the faults of the system as at present carried out, and containing a variety of suggestions for their removal.

6. As to the first point, it is shown that the present contract of the Neilgherries for five years, and which terminates with June 1861, was sold for Rupees 24,500 per annum, for 29 shops, of which 12 are at Ootacamund itself. The usual license, containing the stipulations prescribed by Regulation I. of 1820, was granted to, and Moochilka executed by, the renter; in other words the renter is bound both on his own behalf as well as for his sub-renters, to abide by the provisions, and, in case of breach, to endure the penalties of that Regulation. It is clear then, as the Board observe, that as far as the Revenue administration is concerned, all checks hitherto in force in the Districts generally, have been rendered available, and that any defect observable in practice must be from want of proper supervision on the part of the Police.

7. On the second question, it is stated that no increase has been allowed in the number of shops at Ootacamund since 1844, though the population of the place has nearly doubled since then.

8. Referring to the third point, the Board do not consider apparently that much good would result from merely diminishing the number of shops. The first remedy that suggests itself is a strict enforcement of the Abkarry Regulation. It is quite clear, they observe, that most of the offences complained of could be easily checked in this

Proceedings under review,
paragraph 16.

way; but they would proceed further, and would obtain a legislative enactment by which all classes, both masters and servants, would be enabled to find that redress which, under the peculiar circumstances existing at Ootacamund, it is next to impossible for the present machinery to afford.

9. It would be, the Government fear, of no use applying for an enactment such as is intended by the Board. The papers before them show, moreover, that anomalies and abuses which now exist may be remedied without a recourse to any but the simplest measures.

10. The first anomaly is the distinction apparently allowed between the liquors mentioned in Regulation I. of 1820, and "Wines." A Mr. James, it appears from paragraph 13 of the Board's Proceedings, has been in the habit of manufacturing and selling at Ootacamund,

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without license, a liquor which he styles "ginger wine," but which has been proved on the clearest evidence, to contain a large quantity of alcohol. Even this last circumstance does not, in the opinion of the

Proceedings Foujdari Adalat,
dated 25th August 1860.

Court of Foujdari Adalat, bring the article in question under the prohibition contained in Section 3 of Regulation I. of 1820. That section declares it illegal to manufacture or sell "fermented liqu

should be in public places, where the frequenters of them would be well seen, and where the Police would have a ready view of all that passes in them. The discouragement thus given to drinking, especially among the more respectable classes, has been ascertained in many places. The shops should be pukka buildings, with no back-doors or windows, and approachable only in front. This is of great consequence in preventing stolen goods being bartered for liquor, and it may be desirable for Government to construct buildings for the purpose, on an approved plan, charging a fair rent for them. The plan and estimate of such a building should be forwarded for approval, and the Collector after consultation with the Police authorities should report what number of shops it will be advisable hereafter to allow and in what localities.

13. All the small beer shops ought to be put down. Beer is not a liquor which natives consume, and the licenses appear to be used as a cloak for selling strong drink. This course will not interfere with the sale of beer by the licensed keepers of European shops.

14. The Government will not, as suggested by some of the residents, interfere with the Coffee shops, or with the sale of liquor on market days. The new Police must be looked to for preventing abuses in these two respects. They do not, moreover, anticipate advantage from making the Abkarry leases shorter, or from putting up the shops to competition separately.

15. The foregoing appears to the Governor in Council to be all that is necessary, since the existing laws, if duly exercised, punish the sale of liquor at forbidden times and places, as well as its adulteration, its exchange for grain or goods, and its sale below the minimum price. Shopkeepers also who permit drunkenness in their shops, or let them become the resort of bad characters, are liable to punishment.

16. The Government presume that the Collector has withdrawn the license which he granted to Mr. James, if not, no time should be lost in doing so.

(True Extract.)

(Signed) C. G. MASTER,

Deputy Secretary to Government.

No. 5,048.

Read Proceedings of Government, dated 15th August 1860, R. D., No. 1,367.

(In Cons. 16th August 1860, No. 4,042.)

1. In the above order the Board of Revenue were instructed to report on the Abkarry arrangements in force at Ootacamund, after reference to the Collector, to the Improvement Committee, and to residents at the station.

2. The Collector's reports and the replies of the "Improvement Committee," and of nine out of the twelve gentlemen to whom the Board applied for information on the subject, are herewith submitted to Government.

3. The Abkarry Contract of the Neilgherries was sold by public auction for a term of five years, ending with June 1861, and realised Rupees 24,500 per annum, for twenty-nine shops. The number of shops at Ootacamund itself is twelve, no increase having been allowed since 1844, although the population of the place has nearly

Government are willing to grant compensation, an arrangement might perhaps be effected with the renter by private agreement. The number of shops, as already stated, has not been increased since 1844, and is now twelve; even if reduced by one-half, there would still be a shop within comparatively easy reach of all but the outlying houses of the Cantonment, and it may be doubted whether there would be any material diminution of drunkenness.

9. It is alleged that the licensed vendors sell liquor on credit and for barter. The former practice is not contrary to law, but its prohibition may very properly be introduced as a condition in all future licenses. The sale of liquor in barter is criminal, and punishable under Clause 8, Section 6, Regulation I. of 1820 with fine up to Rupees 200, or in default imprisonment for six months.

10. Liquor is said to be illicitly sold by unlicensed persons. This offence is also punishable under Regulation I. of 1820 with fine up to 400 Rupees, or in default imprisonment for one year.

11. The liquor sold is also said to be adulterated with noxious ingredients. The Regulation already quoted assigns imprisonment with hard labor for a period not exceeding three years as the punishment of this offence.

12. Almost all the other complaints made by the residents may be checked by strictly enforcing the Abkarry Regulation, and with the new Police and a Magistrate constantly residing on the Hills, there ought to be no difficulty in this respect. It is quite clear, however, that the Law has never yet been properly enforced, and criminal practices have been allowed to pass unchecked.

13. In addition to the regular Abkarry license, a Mr. James has been allowed a license to sell "good wholesome Beer" in two shops at Ootacamund. So long as the beer is good and wholesome, this is desirable rather than otherwise, as likely to reduce the consumption of spirits; but the license is defective in containing no penalty for breach of this condition, and no stipulation for entering the premises at pleasure for the purpose of testing the liquor. Mr. James, however, also manufactures and sells a liquor which he terms "Ginger Wine," but which in reality is highly spirituous. So long as he sells what can justly be termed wine, no license is necessary, nor under the ruling of the Foujdarry Udalut can the Collector interfere; but the enclosed sentence of the Sub-Judge passed under Clause 9, Sections 5 and 6, Regulation I. of 1820, will, it is hoped, deter him and his agents from selling what is really a spirituous liquor under the designation of Ginger Wine.

14. In making the above remarks, the Board do not mean to imply that the residents' complaints regarding the Abkarry are groundless; but that if the law is properly administered, the irregularities they describe may to a great extent be prevented.

15. The Board believe that the demoralised condition of the Native population of the Hills is owing to other causes besides defective Abkarry arrangements.

16. The most effectual remedy for the present state of matters at Ootacamund would be to give the residents quicker and easier means of obtaining redress for grievances than our present Civil and Criminal procedure afford. It is not necessary nor is it expedient that heavier penalties should be attached to crimes on the Hills than to crimes elsewhere, or that less proof of guilt should be accepted there; that acts should be constituted offences there which are not offences in other places; or that any procedure necessary to attain justice should be omitted. What is wanted is merely means, suited to the circumstances and position of the people, of obtaining redress. It is idle to tell the master who is resident for a few months, that he may prosecute a recusant mechanic or a servant who has broken his engagement by a Civil suit, which may be appealed

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From E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. SIM,
Esq., Secretary to the Board of Revenue, dated Coimbatore,
3rd October 1860, No. 182.

1. In reply to your letter of the 12th ultimo, No. 4,151, I beg
to refer you to my letter of the 10th idem, No. 154, in which I have
fully reported on the Abkarry arrangements at Ootacamund.

2. Copies of the Contractor's License and Moochilka are herewith
forwarded, as now requested.

3. No license for the sale of "Ginger wine" has been granted,
to Mr. James, such not coming within the prohibition of Section III,
Regulation I. of 1820—Vide Proceedings of the Foujdaree Udalut,
dated 25th August 1860, copy of which is enclosed for the Board's
information. He has, however, one for selling "Beer," copy of which
is forwarded.

ENC. No. 1.

Proceedings of the Foujdaree Udalut, 25th August 1860, stating
that Ginger wine does not come within the prohibition of Section III,
Regulation I. of 1820.

ENC. No. 2.

License granted to Mr. James for selling Beer.

ENC. No. 3.

Puttah granted to the Abkarry Contractors of the Neilgherry
Talook.

ENC. No. 4.

Moochilka given by the Abkarry Contractors of the Neilgherry
Talook.

From E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. SIM,
Esq., Secretary to the Board of Revenue, dated Coimbatore, 10th
September 1860, No. 154.

1. In reply to paragraph 1 of the Board's Proceedings, No. 3,824,
dated 21st ultimo, received by me on the 25th idem,
I beg to explain the Abkarry Contract as now exist-
ing on the Hills.

Also Board's Order of
28th August 1860, No.
3,933.

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2. The Ootacamund Local Committee appear to attribute (para. 3),
many irregularities and evils to the Abkarry system, such as, rob-
bery, misconduct of servants, &c., though they do not clearly explain
what "the system" to which they object is, nor specify any evils, except
supposed sales on credit, and too many shops.

3. I am not aware that the Abkarry system and

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REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Madras Government in the
Judicial Department:—

Communicating the observations
of the Committee at Ootaca-
mund in view to the Collector
of Ootacamund being called on
for information of the alleged evils
of the Abolition system.

(Here enter 31st July 1860, No. 960.)

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ORDER THEREON, 15th August 1860, No. 1,367.

1. Referred to the Board of Revenue for report on the subject of
paragraph 4 of the order.

2. The Board will report the number of Arrack and Toddy shops
now established at Ootacamund, and the regulations existing for the
prevention of drunkenness, riots, receiving stolen goods, and other offences
in those shops. They will report also, whether there has been any and
what increase in the number of shops within the last ten years; and if
so, whether the European residents were consulted on the subject before
the increase was permitted by the Collector. Lastly, they will report
whether the existing number is necessary, and whether any and what
regulation or change of system is desirable, with the view of checking
the abuses complained of by the Ootacamund community.

3. The Board will be requested to give their early attention to this
subject, and to report on it fully and without any avoidable delay. In
procuring the necessary information, it will be proper that the Board
should apply not merely to the Collector, but to intelligent members of
the Ootacamund community, and in particular to the Improve-
ment Committee.

(True Extract.)

(Signed) J. D. BOURDIER