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Government of Madras.

MARINE DEPARTMENT.

G.O., No. 256, 22nd August 1910.

INDEXED.

Coast Lights Dues.

Communicating to the officers concerned the decision of the Government of India in regard to the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay via the Eastern and Western groups of Madras Coast lights, and vice versa.

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Government of Madras.

MARINE DEPARTMENT.

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G.O., No. 256, 22nd August 1910.

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ORIGINAL.

Coast Lights Dues.

Communicating to the officers concerned the decision of the Government of India in regard to the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western groups of Madras Coast lights, and *vice versa*.

No. 256, MARINE, 22ND AUGUST 1910.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

Read—the following papers:—

I

G.O., No. 440, Marine, dated 9th November 1904.

ABSTRACT.—Informing the Presidency Port Officer and the other officers concerned that the Government of India have been pleased to grant the concession that in the case of steamers falling under class I of the schedule in the Madras Coast Lights Act and clearing from Calcutta or Rangoon for Bombay or *vice versa* *via* the Eastern and Western group ports, payment of the light dues may be made at the port of departure in respect of one group of lights only, dues on account of the other group being paid at the first port of call within that group.

II

G.O., No. 332, Marine, dated 5th November 1909.

ABSTRACT.—Directing the publication in the *Fort St. George Gazette* and in the District Gazettes of Maritime districts of notification prescribing a schedule of reduced rates at which coast light dues shall be levied from and after the 1st day of December 1909 and addressing the Governments of Bombay, Bengal and Eastern Bengal and Assam.

III

Letter Mis. No. 147, Marine, dated 27th April 1910.

Read—the following papers:—

Letter—from A. C. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Lighting of Coasts).
To—the Chief Secretary to the Government of Madras.
Dated—Calcutta, the 26th February 1910.
No.—1594-3.

With reference to the correspondence which accompanied the communication from the Government of India in the Finance and Commerce department, No. 5787 S.R., dated the 17th September 1904, I am directed to forward a copy of a letter from the Government of Burma, No. 1341/H-5, dated the 29th January 1910, and enclosures, regarding a difficulty which has arisen at the port of Rangoon in levying light dues at the revised rates specified in the notification of the Government of Madras, No. 332, Marine, dated the 5th November 1909, on vessels clearing from Rangoon to Bombay *via* the ports on the Eastern and Western Coasts of the South of India.

2. I am to request that the Government of India may be favoured with the views of His Excellency the Governor in Council on the principle of the procedure recommended in paragraph 2 of the enclosed letter from the Government of Burma.

ENCLOSURES.

Letter—from F. LEWISOHN, Esq., I.C.S., Officiating Secretary to the Government of Burma, Commerce department.
To—the Secretary to the Government of India, Department of Commerce and Industry.
Dated—Rangoon, the 29th January 1910.
No.—1341/H-5.

I am directed to solicit a reference to your letter No. 5787 S.R., dated the 17th September 1904, addressed to Messrs. Mackinnon Mackenzie & Co., Managing Agents, British India Steam Navigation Company (Limited), in which permission was given subject to certain conditions

for steamers clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western group ports to pay light dues under the Madras Coast Lights Act, 1904, at the port of departure in respect of the Eastern group only, the dues on account of the Western group of lights being paid at the first port of call within that group.

2. I am now to submit, for the orders of the Government of India, a copy of letter No. 352/2C-1, dated the 13th January 1910, from the Assistant Secretary to the Financial Commissioner, Burma, and of its enclosures, from which it will be seen that the concession granted in 1904 is not applicable to the new conditions brought into existence by the revised rates fixed under the Act by Marine department notification No. 332, dated the 5th November 1909, of the Government of Madras. The nature of the difficulty is explained in Mr. Anderson's letter, and it will be seen that the Officiating Financial Commissioner agreeing with the Chief Collector of Customs recommends that where a vessel clears at Rangoon for Bombay *via* the ports of the Eastern and Western groups she should be charged the full rate of 6 pies per ton leviable under class IV of the schedule attached to the notification of the Government of Madras referred to above at the port of departure, but that on arrival at the first port of call within the Western group ports on the same voyage a rate of 4 pies only per ton should be charged for that group instead of 5 pies, making a total of 10 pies for the two groups as fixed in class I of the schedule.

3. I am to submit that, so far as this Government is concerned, the suggestion made by the Chief Collector of Customs and the Financial Commissioner appears to be suitable.

Letter—from J. J. ANDERSON, Esq., B.A., I.C.S., Assistant Secretary to the Financial Commissioner, Burma.

To—the Secretary to the Government of Burma.

Dated—the 13th January 1910.

No.—352/2-C-1.

At the instance of the Chief Collector of Customs, Burma, I am directed to invite a reference to your endorsement Commerce department No. 772/H-20, dated the 26th November 1909, forwarding copies of a revised schedule of rates for the Madras Coast light dues, and to attach copies of correspondence between Messrs. Bulloch Brothers & Co., Agents of the British India Steam Navigation Company (Limited), and the Chief Collector of Customs, Rangoon, regarding the collection of dues according to the rates fixed for vessels coming under class I of the schedule.

2. In their letter No. 5787 S.R., dated the 17th September 1904, the Government of India approved, subject to certain conditions, the suggestion that vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western group ports, should pay light dues at the port of clearance in respect of the Eastern group only, the dues on account of the Western group being paid at the first port of call within that group, and *vice versa*.

3. Under the old schedule, no difficulty arose as the rate was 7 pies per ton in respect of each group whether one or both were utilised during a voyage.

4. Under the revised schedule, however, the rates are 6 pies per ton for each group for vessels utilising only one group during a voyage, and 5 pies for each group of lights or 10 pies per ton for the voyage for vessels utilising both groups.

5. A difficulty therefore arises as to the rate to be paid for vessels which desire, under the concession granted by the Government of India, to clear at Rangoon for Bombay *via* the ports of the Eastern and Western groups, paying the dues for the Eastern group only at the port of clearance, the dues for the Western group being paid at the first port of call within that group. If the vessel pays only 5 pies per ton and subsequently does not continue her voyage to Bombay but returns to Calcutta or Rangoon from Madras or Tuticorin, the difference of 1 pie per ton should be collected from the agents.

6. On the other hand, if the vessel duly continues the voyage to Bombay, the collection of 5 pies for the Western group brings the total for the voyage to 11 pies, or 1 pie in excess of the rates under class I.

7. To meet this difficulty, it might be arranged in accordance with the principles of the concession above quoted that only 5 pies per ton be demanded on departure from Rangoon for vessels clearing for Bombay *via* the Eastern and Western groups, provided that the agents guarantee that if the vessel for any reason fails to continue her voyage and to utilise and pay the dues for the Western group, the deficiency of 1 pie per ton shall be paid to the Chief Collector of Customs at Rangoon.

8. In the alternative, the full rate of 6 pies per ton should be charged for the Eastern group at the port of departure and on the production of the receipt for this payment at the first port of call within the Western group on the same voyage, 4 pies only per ton should be charged for that group.

9. I am to say that the Officiating Financial Commissioner agrees with the Chief Collector of Customs that the latter course is the simpler and less complicated, and to suggest that the Government of India should be requested to pass the necessary orders.

Letter—from Messrs. BULLOCH BROTHERS & Co. (Limited), Rangoon.
To—the Chief Collector of Customs, Burma.
Dated—the 29th December 1909.

We have the honour to ask particulars of the change in the method of collecting the Madras light dues, Western and Eastern groups.

Under the Government of India, Finance and Commerce department, letter No. 5787 S.R., dated at Simla, 17th September 1904, addressed to Messrs. Mackinnon Mackenzie & Co., Calcutta, payment of the Western group dues was allowed to be made at the first port of call within the Western group, it being demonstrated that payment at port of clearance would operate harshly "inasmuch as the period of exemption prescribed by the proviso to section 3 of the Act may have expired, or may be about to expire, before a vessel enters the group in respect of which the light dues have been paid."

We are now, however, called upon, as we understand it in the absence of any official advice from you, to pay an extra pie (i.e., 6 pies in place of 5 pies) for the Eastern group on a vessel cleared from Coromandel and Malabar ports if we do not pay Western group dues here; but in this case 4 pies in place of 5 pies would only be leviable on the other side. We, however, have not learned that the authorities of the Western group are instructed to levy only 4 pies instead of 5 pies and it is on this point especially that we desire information, it being clear that the company will not elect to pay Western group dues at port of clearance.

Letter—from the Chief Collector of Customs, Burma.
To—Messrs. Bulloch Brothers & Co. (Limited), Rangoon.
Dated—Rangoon, the 30th December 1909.
No.—9900/1L-2.

With reference to your letter, dated the 29th December 1909, regarding payment of light dues at the reduced rate under class I of the schedule attached to Government of Madras Marine department, Order No. 332, dated the 5th November 1909, I have the honour to forward for reference a copy of a letter I have forwarded to the Assistant Secretary to the Financial Commissioner, Burma, on the subject.

2. Until orders are received on the point raised, I have decided to charge 6 pies if only one set of dues are paid prior to clearance. But if it is subsequently proved that the vessel for which the higher rate of dues was charged here has completed her originally intended voyage to one of the ports on the Western Coast on payment of dues for western lights at the reduced rate, a refund of the difference, viz., 1 pie, will be allowed here.

Letter—from Messrs. BULLOCH BROTHERS & Co. (Limited), Rangoon.
To—the Chief Collector of Customs, Burma.
Dated—the 5th January 1910.

We have the honour to acknowledge your letter No. 9900/1L-2 of 30th December and thank you for the copy of your letter to the Financial Commissioner, Burma. We note the suggestions put forward by you as to the procedure to be followed in the collection of the Madras light dues for the Eastern and Western groups.

While quite seeing that a definite ruling for your guidance in this connection is desirable, we doubt the equity of the procedure you have for the present adopted. The practical effect of it is a levy of 11 pies per ton, while a levy of only 10 pies is authorised by the Madras Marine department Order No. 333 of 5th November 1909 in such of the company's steamers as are cleared here for the Eastern and Western groups. In paragraph 4 of your reference to the Financial Commissioner, you have suggested that 6 pies per ton be collected here and 4 pies per ton at the first port of call within the Western group. But we are presently called upon to pay at the rate of 6 pies here and will on the order of the Madras Government have to pay 5 pies on the other side. If a refund be authorised later, it will only be on the production of documents which we may not be able to trace owing to the various movements in the interval of the steamers concerned or only after a lapse of time which in the aggregate will amount to a considerable sum.

Two concrete instances are the "Bezawada" and the "Urlana" recently cleared for both groups. We have had to pay 6 pies here and cannot suppose that the authorities on the other side will levy only 4 pies, as we read the notification. In the result we will thus have paid 11 pies per ton with a distant opportunity of recovering 1 pie per ton after a considerable cross-correspondence.

The hypothetical case mentioned by you of a steamer cleared hence to Bombay but proceeding no further than Tuticorin and thus not entering the Western group would be a very rare occurrence and if it happened we venture to suggest the more equitable and businesslike arrangement would be to charge the 1 pie per ton (to make up the 6 pies payable when a steamer uses only the Eastern group lights) at time of clearance at Tuticorin instead of mulcting us here in 1 pie more on the hypotheses the steamer may not proceed as cleared.

Considering how your present order mainly affects the steamers of this company, we ask you kindly to place our views before the Financial Commissioner before he passes orders.

Letter—from W. D. R. PRENTICE, Esq., I.C.S., Officiating Chief Collector of Customs, Burma.

To—Messrs. Bulloch Brothers & Co. (Limited), Agents, British India Steam Navigation Company (Limited), Rangoon.

Dated—the 7th January 1910.

No.—144/1L-1.

I have the honour to acknowledge receipt of your letter, dated the 5th January 1910, regarding the levy of Madras Coast light dues under the revised notification. It appears to me that you exaggerate the difficulties of getting a refund of the 1 pie per ton which may under the present temporary orders be levied here in excess in the case of steamers which use both groups of lights. The production of the receipt granted at the first port of call in the Western group will be a sufficient voucher and ought to be readily available.

2. Until definite orders are received, some procedure must be adopted, and I prefer to collect the dues at the maximum rate and to refund the excess collection when it is shown that the vessel is liable to dues at a lesser rate. The inconvenience will only be a temporary one and I prefer to await definite orders on the point at issue before altering the present practice.

3. In compliance with your request, a copy of this correspondence is being forwarded to the Financial Commissioner for information.

Memorandum No. 286-1, Marine, dated 12th March 1910.

Referred to the Presidency Port Officer for favour of remarks.

(By Order.)

J. W. BHORE,
Ag. Asst. Secretary to Government.

Letter—from Commander T. A. L. de BERRY, R.I.M., Presidency Port Officer, Madras.

To—the Chief Secretary to Government.

Dated—the 19th March 1910.

No.—1271/92 G.

With reference to Memorandum of Government, No. 286-1, dated 12th March 1910, I have the honour to state that I see no objection, in the circumstances explained by the Secretary to the Government of Burma, to charge class I vessels, at the port of departure, with light dues at 6 pies per ton for the first group of lights only, and the balance of 4 pies per ton at the first port of call within the other group, in the same voyage, to safeguard the revenue in the event of the steamer changing her destination before touching the first port of call in the second group. The excess payment of 1 pie will of course be admissible if the vessel continues her voyage as class I vessel, as originally intended.

I would however point out that the levy of light dues on class I vessel, in the manner suggested, is at a rate not prescribed in the schedule by the Local Government for this class of vessels, and is likely to lead to unnecessary correspondence and delay in the recovery or refund of dues, if the receipt for the first payment cannot be produced, as is often the case, when payment is demanded at the first port of call in the second group, or a refund is claimed, owing to the various movements in the interval of the vessel concerned.

I would therefore suggest, for the consideration of Government, that if the concession granted by the Government of India (*vide* G.O., No. 440, Marine, dated 9th November 1904) and proposed to be availed of by class I vessel is only for the purpose of avoiding a second payment for the second group of lights, should the vessel call at the first port in that group thirty days after payment of light dues for that group at the original port of departure, and if the vessel has no intention of changing her destination when obtaining her clearance, she might be asked to pay at the port of departure dues for both group of lights (at 5 pies per ton for each group) as per schedule, and a receipt granted for the amount, with a note, that payment of light dues for the second group shall be held to count from the date the vessel calls at the first port in that group in the same voyage. In this case, if the Port officer at the latter port is satisfied that the vessel called at his port in the same voyage after payment of light dues for his group at the original port of departure, he may endorse on that receipt the date on which the vessel called at his port: and this will be a sufficient guarantee for the light dues not being demanded a second time for the second group in the same voyage at any other port in that group, within thirty days after the vessel has entered the first port in that group.

In making this suggestion, I have not lost sight of the wording in the proviso to section 3 of the Madras Coast Lights Act IX of 1904, under which an exemption is allowed to last for a period of thirty days "*from the date on which such dues were paid.*" The insertion of the note in the receipt, as proposed above, is only intended to declare that, as per concession granted by the Government of India, the exemption period for the payment of light dues for the second group takes effect from the date the vessel referred to called at the first port in that group.

The enclosures received with the memorandum of Government under reference are herewith returned.

Letter—from the Hon'ble Sir WILLIAM MEYER, K.C.I.E., I.C.S., Chief Secretary to the Government of Madras.
To—the Secretary to the Government of India, Department of Commerce and Industry.
Dated—the 27th April 1910.
No.—Mis. 147, Marine.

I am directed to reply to Mr. McWatters' letter No. 1594-3, dated the 26th February 1910, asking for the views of this Government on the proposal of the Government of Burma regarding the levy of coast light dues on vessels proceeding from Rangoon or Calcutta to Bombay or *vice versa* and utilising both the Eastern and the Western group of lights.

2. Three suggestions have been made in regard to the levy of coast dues on vessels of this class—

(i) The Government of Burma suggests that a vessel clearing at Rangoon for Bombay *via* the ports of the Eastern and Western groups should pay the full rate of 6 pies per ton for the Eastern group at the port of departure and that on the production of the receipt of this payment at the first port of call in the Western group on the same voyage, a rate of 4 pies only per ton should be charged for that group.

(ii) The Financial Commissioner of Burma suggests that 5 pies per ton be levied on departure from Rangoon provided that the agents or owner of the vessel undertake that the extra 1 pie per ton will be paid to the Chief Collector of Customs at Rangoon, if the vessel changes its destination and uses only a single group of lights.

(iii) The Presidency Port Officer, Madras, suggests that the dues for both group of lights should be levied at the port of departure at 5 pies per ton for each group and that a note should be entered on the receipt that payment for the second group shall be held to count from the date on which the vessel calls at the first port in that group in the course of the same voyage.

3. If the first suggestion were adopted, the fees levied would not be in accordance with the rates fixed in the schedule published in G.O., No. 332, Marine, dated the 5th November 1909, and the Presidency Port Officer considers that there might be undue correspondence and delay in the recovery of refund of dues, if a vessel failed to produce the original receipt.

4. The objection to the second suggestion is, as observed by the Government of Burma, that it would not be an easy matter to ascertain whether a particular vessel had made use of a second group of lights or not or to enforce the undertaking regarding the payment of the additional rate.

5. The third course suggested, though it contravenes the wording of the proviso to section 3 of the Coast Lights Act that the period of exemption should count from the date on which the dues are paid, seems on the whole to be the most practically convenient, and I am accordingly to recommend it for the consideration of the Government of India.

IV

Letter—from A. C. McWATTERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Lighting of Coasts).
To—the Chief Secretary to the Government of Madras.
Dated—Simla, the 1st August 1910.
No.—5420-3.

With reference to the correspondence ending with your letter No. 147, dated the 27th April 1910, I am directed to forward, for the information of His Excellency the Governor in Council, a copy of a letter No. 5416-3, dated the 1st August 1910, addressed to the Government of Burma on the subject of the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western groups of Madras coast lights and *vice versa*.

2. I am to say that the Government of India have carefully considered the alternative proposal put forward in your letter under reply. In their opinion it would not satisfactorily meet the case of a vessel which used the first group of lights only and then returned, as such a vessel should pay at the rate of 6 pies per ton for the first group of lights only, and the adjustment of the fees charged in excess might involve correspondence and delay. The Government of India consider that the procedure described in the letter to the Government of Burma is on the whole the most suitable, and they have accordingly decided to adopt it.

ENCLOSURE.

Letter—from A. C. McWATTERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Lighting of Coasts).
To—the Secretary to the Government of Burma, Commerce department.
Dated—Simla, the 1st August 1910.
No.—5416-3.

I am directed to acknowledge the receipt of your letter No. 1341/H-5, dated the 29th January 1910, on the subject of the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western group ports. You observe that the concession granted in Mr. Campbell's letter No. 5787 S.R., dated the 17th September 1904, is not applicable to the new conditions brought into force by the revised rates of light dues fixed by the notification of the Government of Madras, No. 332, Marine, dated the 5th November 1909; and suggest that, in the case of such vessels, the full fee of 6 pies per ton should be charged at the port of departure, and on the production of the receipt for this payment at the first port of call within the second group of lights on the same voyage 4 pies per ton only should be charged for that group.

2. In reply, I am to say that the Government of India are pleased to approve of the adoption of this procedure in the case of vessels clearing from Rangoon and Calcutta for Bombay *via* the Eastern and Western groups of Madras Coast lights, and *vice versa*, on the understanding that the concession shall only apply to vessels the owners or agents of which have given the undertaking referred to in paragraph 3 of Mr. Campbell's letter No. 5787 S.R., dated the 17th September 1904, and subject to the conditions specified in that letter.

No. 256, MARINE, 22ND AUGUST 1910.

No. 5417-5419-3.

A copy is forwarded to the Government of
for information, with reference to the correspondence ending with the letter from that Gov-
ernment, No. 81 T/Marine, dated the 27th June 1910.
5784, 16th May 1910.
722, Marine, 28th June 1910.

(By Order, etc.)

A. C. McWATTERS,
Under Secy. to the Govt. of India.

Order—No. 256, Marine, dated 22nd August 1910.

With reference to the marginally-noted proceedings,* the Presidency Port Officer and the other officers concerned are informed that the Government of India have decided that in the case of vessels clearing from Calcutta and Rangoon for Bombay *via* the Eastern and Western groups of Madras Coast lights, and *vice versa*, the full fee of 6 pies per ton should be charged at the port of departure, and on the production of the receipt for this payment at the first port of call within the second group of lights on the same voyage, 4 pies only per ton should be charged for that group. This concession will apply only to vessels the owners of which have given the undertaking referred to in paragraph 2 of G.O., No. 440, Marine, dated 9th November 1904, and will be subject to the conditions specified therein.

(True Extract.)

W. S. MEYER,
Chief Secretary.

To the Presidency Port Officer
" Accountant-General
" Collectors of Maritime districts } (Order only).
Copy to the Revenue department.
" " Public Works department.

NOTES.

[SUBJECT.—Coast Light dues.]

I

From the Government of India, Department of Commerce and Industry, dated 26th February 1910,
No. 1594-3.

NOTES CONNECTED WITH G.O., No. 147, MARINE, DATED 27TH APRIL 1910.

Assistant Secretary—

Under the revised schedule attached to the Marine department notification in G.O., No. 332, dated the 5th November 1909, the rates of coast light dues leviable on vessels utilising only one group of port lights during a voyage are 6 pies per ton, and 5 pies for each group of lights or 10 pies per ton for the voyage for vessels utilising both groups. But according to the concession granted by the Government of India in G.O., No. 440, Marine, dated the 9th November 1904, vessels clearing at Calcutta or Rangoon for "Bombay *via* the ports of the Eastern and Western groups, can pay the light dues under the Madras Coast Lights Act, 1904, in respect of the *eastern* group of lights only, at the port of departure, the dues on account of the *western* group being paid at the first port of call within that group and *vice versa*. So a vessel clearing at Rangoon for Bombay will have to pay light dues at the rate of 6 pies per ton at Rangoon and at 5 pies per ton at the first port of call within the western group, thus bringing the total for the voyage to 11 pies or 1 pie in excess of the rates fixed under class I of the schedule. To overcome this difficulty the Government of Burma suggest that a vessel clearing at Rangoon for Bombay *via* the ports of the eastern and western groups should be charged the full rate of 6 pies per ton for the eastern group at the port of departure, and on the production of the receipts for this payment at the first port of call within the western group on the same voyage, a rate of 4 pies only per ton should be charged for that group.

2. The Government of India ask to be favoured with the views of this Government on the proposal recommended by the Government of Burma. Perhaps the views of the Presidency Port Officer may be obtained in the matter.

3. Draft endorsement submitted for approval.

T.S.—12-3-10.

A.R.—12-3-10.

Issue.

J. W. BHORE—12-3-10.

[Memorandum to the Presidency Port Officer, dated the 12th March 1910, No. 286-1.]

From the Presidency Port Officer, dated the 19th March 1910,
No. 1271-92 G.

Assistant Secretary—

The Presidency Port Officer states that he has no objection to the proposal of the Government of Burma to charge class I vessels at the port of departure with light dues at 6 pies per ton and to charge 4 pies per ton at the first port of call within the other group in the same voyage.

2. He however points out that the levy of dues in the manner suggested by the Government of Burma is at a rate not prescribed in the schedule in G.O., No. 332, Marine, dated 5th November 1902, and is likely to lead to unnecessary correspondence and delay in the recovery or refund of dues.

* In G.O., 332, Marine, 5th November 1909.

3. He therefore suggests that a class I vessel might be asked to pay at the port of original departure the light dues for both groups at 5 pies per ton for each group as per * schedule, with a note on the receipt granted for the amount "that payment of light dues for the second group shall be held to count from the date the vessel calls at the first port in that group in the same voyage" so as to secure the benefit of the proviso to paragraph 1 of the notification*, which exempts a vessel from further payment of light dues within a period of 30 days from the date on which such dues were paid.

In G.O., 332, Marine, 5th November 1909.

4. As the exemption under the proviso is for a period of 30 days from the date on which such dues were paid, and not from the date on which a vessel called at a particular port, it is for orders whether an endorsement on the receipt as suggested by the Presidency Port Officer would by itself suffice to exempt class I vessels from further payment or whether any change in the wording of the proviso is necessary.

T.S.—23-3-10.

It is submitted that the Presidency Port Officer's suggestion is in accordance with the ruling in G.O., No. 359, Marine, dated 9th September 1904, but that there would be some difficulty in giving effect to it in view of the wording of the proviso to section 3 of the Madras Coast Lights Act IX of 1904. Another way out of the difficulty would be to make the coast lights dues levied under the Act on account of the eastern group payable at the first port of call instead of at the port of departure.

For orders.

A.R.— -3-10.

Deputy Secretary—

Before the issue of G.O., No. 440, Marine, dated 9th November 1904, class I vessels, under which would fall vessels clearing from Calcutta or Rangoon via Coast Ports for Bombay and using both groups of lights, paid light dues for both groups at the port of clearance and were of course subject to the proviso to section 3 of Madras Coast Lights Act (IX of 1904), viz., that when such light dues have been paid for either eastern or western group no further coast light dues on account of lights in the same group shall become payable in respect of that vessel for a period of thirty days from the date of payment.

2. It was represented that this rule worked hardly in some cases, e.g., where a vessel did not enter a port of call in the second group till after the statutory period of thirty days had elapsed, in which case the charge for the second group would again have to be paid. On this being represented to them the Government of India, as a matter of grace and subject to reconsideration, granted the concession that class I vessels might, if they chose, pay dues for one group of lights only at the port of clearance and for the other group at the first port of call in that group. The difficulty that has now arisen is owing to the fact that the dues for a vessel using both groups of lights are 5 pies per ton for each group while for a vessel using only the eastern group the charge is 6 pies per ton. The result has been that the chief Collector of Customs, Rangoon, in permitting a vessel, clearing from Rangoon to Bombay and using the two groups of lights, to pay only for the eastern group, has insisted on payment of a charge of 6 pies per ton. This was no doubt in order to safeguard the revenue, should the vessel change her destination after using the eastern group of lights only. I, however, venture to think this charge of 6 pies per ton in such a case is not strictly authorized. G.O., No. 440, Marine, dated 9th November 1904, under which the charge is made, allows the payment beforehand of dues for a single group of lights by steamers falling under class I and under the schedule

True; but the whole concession is not strictly according to the letter of the law, which says that the whole dues shall be paid before a vessel clears for a particular voyage

F.B.E.—9-4-10.

But how is it to be ascertained whether she goes to the second group or not.

F.B.E.—9-4-10.

the dues for either eastern or western group separately from a vessel of this class is 5 pies a ton. It is true that the charges have been revised since 1904, but I do not think that alters matters. The charge at the port of clearance should, I think, be 5 pies per ton and to safeguard the revenue, should a vessel after clearing from a port change her destination using only a single group of lights and thus make herself liable to pay 6 pies for the single group, an understanding may be taken from the agents or owners to pay the extra one pie per ton. It would, I presume, be rarely that a vessel which cleared for a definite port, would entirely alter her destination, so that it is probable that in practice this would be the simpler arrangement. It is practically that suggested in paragraph 7 of the letter from the Assistant Secretary to the Financial Commissioner.

J. W. BHOSE—8-4-10.

I incline to agree with the Presidency Port Officer but it does not seem to be a matter of much moment, and we may leave it to the Government of India to decide. Draft setting out the three alternative proposals, and noting the objection to them, and recommending the Presidency Port Officer's.

F. B. EVANS—9-4-10.

Assistant Secretary—

A draft letter to India is submitted for approval.

T.S.—13-4-10.

A.R.—15-4-10.

Retype the last two pages.

F.B.E.—16-4-10.

Typed and submitted.

A.R.—18-4-10.

His Excellency the Governor—

Submitted for approval.

F.B.E.—18-4-10.

Draft approved.

A. L[AWLEY]—21-4-10.

[G.O., No. 147, Marine, dated 27th April 1910.]

II

NOTES CONNECTED WITH G.O., No. 256, MARINE, DATED 22ND AUGUST 1910.

From the Government of India, Department of Commerce and Industry, dated 1st August 1910, No. 5420-3.

Under Secretary—

Please see letter No. 147, Marine, dated 27th April 1910, to the Government of India, and the correspondence to which it is a reply. A draft order in accordance with the decision of the Government of India is submitted for approval.

K.P.A.—18-8-10.

Issue.

J.W.B.—18-8-10.

[G.O., No. 256, Marine, dated 22nd August 1910.]

[G. 5]
12,00-28-08.

READ

Coast light dues.

Marine DEPARTMENT.

(Abs.) Communicating to the officers concerned the decision of the G. of I. ^{in regard to} regarding the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay, via the eastern and western groups of Madras coast lights, and vice versa.

I

G.O. N^o. 440 Mar. 29. 11. 04

" 332 " 25. 11. 09 (h)

II

" 147 " 27. 4. 10. (a)

III

[C.N^o. 927] From the G. of I., C. of I. Sept. N^o. 5410-3. 21. 8. 10 (a)

ORDER No. 256, dated 22. 8. 1900.

P.S.

E

* G.O. N^o. 440 Mar. 29. 11. 04

" 332 " 25. 11. 09.

S

With reference to the marginally noted proceedings, the P.P.O. and the other officers concerned are informed that the Govt. of India have decided that in the case of vessels clearing from Calcutta and Rangoon for Bombay via the eastern and western groups of Madras coast lights, and vice versa, the full fee of six pice per ton should be charged at the port of departure, and on the

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production of the receipt
for this payment at the first
port of call within the second
group of lights on the same
voyage, four ptes only per
ton should be charged for
that group. This concession
^{will} ~~shall~~ apply only to vessels
the owners of which have
given the undertaking
referred to in para. 2 of G.O.
E No. 440 Mar. 8 9. 11. 04 and
^{will} ~~shall~~ be subject to the
conditions specified therein.

WPA
16.8.10

End
18.8.10

By 10.30 to G.M. Wrag
ag. + P.P.O.
Came for (Hampden)
+ sent to G.M. Wrag 9.10
1.1.1910 on 10.9.10

162 SEP 1910
13.9.10

The P.P.O. ✓
Acet. Genl ✓
Collro of Maritime Ob. ✓
Copy to the Rev. Dept.
" " P.W. Dept.
NAI for E.T.

us. Joseph...
 165-15-100
 Mar 30-8
 No. 256, MARINE, 22ND AUGUST 1910.
 GOVERNMENT OF MADRAS.
 MARINE DEPARTMENT.



Read—the following papers:—

31/8/10

I
G.O., No. 440, Marine, dated 9th November 1904.
ABSTRACT.—Informing the Presidency Port Officer and the other officers concerned that the Government of India have been pleased to grant the concession that in the case of steamers falling under class I of the schedule in the Madras Coast Light Act and clearing from Calcutta or Rangoon for Bombay or *vice versa* via the Eastern and Western group ports, payment of the light dues may be made at the port of departure in respect of one group of lights only, dues on account of the other group being paid at the first port of call within that group.

G.O., No. 332, Marine, dated 5th November 1909.
ABSTRACT.—Directing the publication in the *Fort St. George Gazette* and in the District Gazettes of Maritime districts of notification prescribing a schedule of reduced rates at which coast light dues shall be levied from and after the 1st day of December 1909 and addressing the Governments of Bombay, Bengal and Eastern Bengal and Assam.

II
Letter Mis. No. 47 Marine, dated 27th April 1910.
Read—the following papers:—

Letter—from A. O. McWATERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry (Lighting of Coasts).
To—the Chief Secretary to the Government of Madras.
Dated—Calcutta, the 26th February 1910.
No.—1594-3.

With reference to the correspondence which accompanied the communication from the Government of India in the Finance and Commerce department, No. 5787 S.R., dated the 17th September 1904, I am directed to forward a copy of a letter from the Government of Burma, No. 1341/H-5, dated the 29th January 1910, and enclosures, regarding a difficulty which has arisen at the port of Rangoon in levying light dues at the revised rates specified in the notification of the Government of Madras, No. 332, Marine, dated the 5th November 1909, on vessels clearing from Rangoon to Bombay *via* the ports on the Eastern and Western Coasts of the South of India.

2. I am to request that the Government of India may be favoured with the views of His Excellency the Governor in Council on the principle of the procedure recommended in paragraph 2 of the enclosed letter from the Government of Burma.

ENCLOSURES.
Letter—from F. LEWISOHN, Esq., I.C.S., Officiating Secretary to the Government of Burma, Commerce department.
To—the Secretary to the Government of India, Department of Commerce and Industry.
Dated—Rangoon, the 29th January 1910.
No.—1341/H-5.

I am directed to solicit a reference to your letter No. 5787S.R., dated the 17th September 1904, addressed to Messrs. Mackinnon Mackenzie & Co., Managing Agents, British India Steam Navigation Company, (Limited), in which permission was given subject to certain conditions for steamers clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western group ports to pay light dues under the Madras Coast Lights Act, 1904, at the port of departure in respect of the Eastern group only, the dues on account of the Western group of lights being paid at the first port of call within that group.

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 5.5.10

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No. 256, MARINE, 22ND AUGUST 1910.

2. I am now to submit, for the orders of the Government of India, a copy of letter No. 352/2C-1, dated the 13th January 1910, from the Assistant Secretary to the Financial Commissioner, Burma, and of its enclosures, from which it will be seen that the concession granted in 1904 is not applicable to the new conditions brought into existence by the revised rates fixed under the Act by Marine department notification No. 332, dated the 5th November 1909, of the Government of Madras. The nature of the difficulty is explained in Mr. Anderson's letter, and it will be seen that the Officiating Financial Commissioner agreeing with [the Chief Collector of Customs recommends that where a vessel clears at Rangoon for Bombay via the ports of the Eastern and Western groups she should be charged the full rate of 6 pies per ton leviable under class IV of the schedule attached to the notification of the Government of Madras referred to above at the port of departure, but that on arrival at the first port of call within the Western group ports on the same voyage a rate of 4 pies only per ton should be charged for that group instead of 5 pies, making a total of 10 pies for the two groups as fixed in class I of the schedule.

3. I am to submit that, so far as this Government is concerned, the suggestion made by the Chief Collector of Customs and the Financial Commissioner appears to be suitable.

Letter—from J. J. ANDERSON, Esq., B.A., I.C.S., Assistant Secretary to the Financial Commissioner, Burma.

To—the Secretary to the Government of Burma.

Dated—the 13th January 1910.

No.—352/2-C-1.

At the instance of the Chief Collector of Customs, Burma, I am directed to invite a reference to your endorsement Commerce department No. 772/H-20, dated the 26th November 1909, forwarding copies of a revised schedule of rates for the Madras Coast light dues, and to attach copies of correspondence between Messrs. Bulloch Brothers & Co., Agents of the British India Steam Navigation Company (Limited), and the Chief Collector of Customs, Rangoon, regarding the collection of dues according to the rates fixed for vessels coming under class I of the schedule.

2. In their letter No. 5787/S.R., dated the 17th September 1904, the Government of India approved, subject to certain conditions, the suggestion that vessels clearing from Calcutta or Rangoon for Bombay via the Eastern and Western group ports, should pay light dues at the port of clearance in respect of the Eastern group only, the dues on account of the Western group being paid at the first port of call within that group, and vice versa.

3. Under the old schedule, no difficulty arose as the rate was 7 pies per ton in respect of each group whether one or both were utilised during a voyage.

4. Under the revised schedule, however, the rates are 6 pies per ton for each group for vessels utilising only one group during a voyage, and 5 pies for each group of lights or 10 pies per ton for the voyage for vessels utilising both groups.

5. A difficulty therefore arises as to the rate to be paid for vessels which desire, under the concession granted by the Government of India, to clear at Rangoon for Bombay via the ports of the Eastern and Western groups, paying the dues for the Eastern group only at the port of clearance, the dues for the Western group being paid at the first port of call within that group. If the vessel pays only 5 pies per ton and subsequently does not continue her voyage to Bombay but returns to Calcutta or Rangoon from Madras or Tuticorin, the difference of 1 pie per ton should be collected from the agents.

6. On the other hand, if the vessel duly continues the voyage to Bombay, the collection of 5 pies for the Western group brings the total for the voyage to 11 pies, or 1 pie in excess of the rates under class I.

7. To meet this difficulty, it might be arranged in accordance with the principles of the concession above quoted that only 5 pies per ton be demanded on departure from Rangoon for vessels clearing for Bombay via the Eastern and Western groups, provided that the agents guarantee that if the vessel for any reason fails to continue her voyage and to utilise and pay the dues for the Western group, the deficiency of 1 pie per ton shall be paid to the Chief Collector of Customs at Rangoon.

8. In the alternative, the full rate of 6 pies per ton should be charged for the Eastern group at the port of departure and on the production of the receipt for this payment at the first port of call within the Western group on the same voyage, 4 pies only per ton should be charged for that group.

9. I am to say that the Officiating Financial Commissioner agrees with the Chief Collector of Customs that the latter course is the simpler and less complicated, and to suggest that the Government of India should be requested to pass the necessary orders.

L. Amalappa

No. 256, MARINE, 22ND AUGUST 1910.

Letter—from Messrs. BULLOCH BROTHERS & Co. (Limited), Rangoon.
To—the Chief Collector of Customs, Burma.
Dated—the 29th December 1909.

We have the honour to ask particulars of the change in the method of collecting the Madras light dues, Western and Eastern groups.

Under the Government of India, Finance and Commerce department, letter No. 5787/S.R., dated at Simla, 17th September 1904, addressed to Messrs. Mackinnon Mackenzie & Co., Calcutta, payment of the Western group dues was allowed to be made at the first port of call within the Western group, it being demonstrated that payment at port of clearance would operate harshly "inasmuch as the period of exemption prescribed by the proviso to section 3 of the Act may have expired, or may be about to expire, before a vessel enters the group in respect of which the light dues have been paid."

We are now, however, called upon, as we understand it in the absence of any official advice from you, to pay an extra pie (i.e., 6 pies in place of 5 pies) for the Eastern group on a vessel cleared from Coromandel and Malabar ports if we do not pay Western group dues here; but in this case 4 pies in place of 5 pies would only be leviable on the other side. We, however, have not learned that the authorities of the Western group are instructed to levy only 4 pies instead of 5 pies and it is on this point especially that we desire information, it being clear that the company will not elect to pay Western group dues at port of clearance.

Letter—from the Chief Collector of Customs, Burma.
To—Messrs. Bulloch Brothers & Co. (Limited), Rangoon.
Dated—Rangoon, the 30th December 1909.
No.—9900/L-2.

With reference to your letter, dated the 29th December 1909, regarding payment of light dues at the reduced rate under class I of the schedule attached to Government of Madras, Marine department, Order No. 332, dated the 5th November 1909, I have the honour to forward for reference a copy of a letter I have forwarded to the Assistant Secretary to the Financial Commissioner, Burma, on the subject.

2. Until orders are received on the point raised, I have decided to charge 6 pies if only one set of dues are paid prior to clearance. But if it is subsequently proved that the vessel for which the higher rate of dues was charged here has completed her originally intended voyage to one of the ports on the Western Coast on payment of dues for western lights at the reduced rate, a refund of the difference, viz., 1 pie will be allowed here.

Letter—from Messrs. BULLOCH BROTHERS & Co. (Limited), Rangoon.
To—the Chief Collector of Customs, Burma.
Dated—the 5th January 1910.

We have the honour to acknowledge your letter No. 9990/L-2 of 30th December and thank you for the copy of your letter to the Financial Commissioner, Burma. We note the suggestions put forward by you as to the procedure to be followed in the collection of the Madras light dues for the Eastern and Western groups.

While quite seeing that a definite ruling for your guidance in this connection is desirable, we doubt the equity of the procedure you have for the present adopted. The practical effect of it is a levy of 11 pies per ton, while a levy of only 10 pies is authorised by the Madras Marine department Order No. 333 of 5th November 1909 in such of the Company's steamers as are cleared here for the Eastern and Western groups. In paragraph 4 of your reference to the Financial Commissioner, you have suggested that 6 pies per ton be collected here and 4 pies per ton at the first port of call within the Western group. But we are presently called upon to pay at the rate of 6 pies here and will on the order of the Madras Government have to pay 5 pies on the other side. If a refund be authorised later, it will only be on the production of documents which we may not be able to trace owing to the various movements in the interval of the steamers concerned or only after a lapse of time which in the aggregate will amount to a considerable sum.

Two concrete instances are the "Bezwada" and the "Urlana" recently cleared for both groups. We have had to pay 6 pies here and cannot suppose that the authorities on the other side will levy only 4 pies, as we read the notification. In the result we will thus have paid 11 pies per ton with a distant opportunity of recovering 1 pie per ton after a considerable cross correspondence.

The hypothetical case mentioned by you of a steamer cleared hence to Bombay but proceeding no further than Tuticorin and thus not entering the Western group would be a very rare occurrence and if it happened we venture to suggest the more equitable and businesslike arrangement would be to charge the 1 pie per ton (to make up the 6 pies payable when a steamer uses only the Eastern group lights) at time of clearance at Tuticorin instead of mulcting us here in 1 pie more on the hypotheses the steamer may not proceed as cleared.

Considering how your present order mainly affects the steamers of this company, we ask you kindly to place our views before the Financial Commissioner before he passes orders.

No. 256, MARINE, 22ND AUGUST 1910.
Letter—from W. D. R. PRENTICE, Esq., I.C.S., Officiating Chief Collector of Customs, Burma.
To—Messrs. Bulloch Brothers & Co., (Limited), Agents, British India Steam Navigation Company, (Limited), Rangoon.
Dated—the 7th January 1910.
No.—144/1L-1.

I have the honour to acknowledge receipt of your letter, dated the 5th January 1910, regarding the levy of Madras Coast light dues under the revised notification. It appears to me that you exaggerate the difficulties of getting a refund of the 1 pie per ton which may under the present temporary orders be levied here in excess in the case of steamers which use both groups of lights. The production of the receipt granted at the first port of call in the Western group will be a sufficient voucher and ought to be readily available.

2. Until definite orders are received, some procedure must be adopted, and I prefer to collect the dues at the maximum rate and to refund the excess collection when it is shown that the vessel is liable to dues at a lesser rate. The inconvenience will only be a temporary one and I prefer to await definite orders on the point at issue before altering the present practice.

3. In compliance with your request, a copy of this correspondence is being forwarded to the Financial Commissioner for information.

Memorandum No. 286-1, Marine, dated 12th March 1910.

Referred to the Presidency Port Officer for favour of remarks.

(By Order.)

J. W. BHOSE,
Ag. ~~Secy~~ Secretary to Government.

Letter—from Commander T. A. L. de BEURY, R.I.M., Presidency Port Officer, Madras.
To—the Chief Secretary to Government.
Dated—the 19th March 1910.
No.—1271/92 G.

With reference to Memorandum of Government, No. 286-1, dated 12th March 1910, I have the honour to state that I see no objection, in the circumstances explained by the Secretary to the Government of Burma, to charge class I vessels, at the port of departure, with light dues at 6 pies per ton for the first group of lights only, and the balance of 4 pies per ton at the first port of call within the other group, in the same voyage, to safeguard the revenue in the event of the steamer changing her destination before touching the first port of call in the second group. The excess payment of 1 pie will of course be admissible if the vessel continues her voyage as class I vessel, as originally intended.

I would however point out that the levy of light dues on class I vessel, in the manner suggested, is at a rate not prescribed in the schedule by the Local Government for this class of vessels, and is likely to lead to unnecessary correspondence and delay in the recovery or refund of dues, if the receipt for the first payment cannot be produced, as is often the case, when payment is demanded at the first port of call in the second group, or a refund is claimed, owing to the various movements in the interval of the vessel concerned.

I would therefore suggest, for the consideration of Government, that if the concession granted by the Government of India (vide G.O., No. 440, Marine, dated 9th November 1904) and proposed to be availed of by class I vessel is only for the purpose of avoiding a second payment for the second group of lights, should the vessel call at the first port in that group of departure, and if the vessel has no dues for that group at the original port of departure, and if the vessel has no intention of changing her destination when obtaining her clearance, she might be asked to pay at the port of departure dues for both group of lights (at 5 pies per ton for each group) as per schedule, and a receipt granted for the amount, with a note, that payment of light dues for the second group shall be held to count from the date the vessel calls at the first port in that group in the same voyage. In this case, if the Port Officer at the latter port is satisfied, that the vessel called at his port in the same voyage after payment of light dues for his group at the original port of departure, he may endorse on that receipt the date on which the vessel called at his port; and this will be a sufficient guarantee for the light dues not being demanded a second time for the second group in the same voyage at any other port in that group, within thirty days after the vessel has entered the first port in that group.

No. 256, MARINE, 22ND AUGUST 1910.
Letter—from W. D. R. PRENTICE, Esq., I.C.S., Officiating Chief Collector of Customs, Burma.
To—Messrs. Bulloch Brothers & Co., (Limited), Agents, British India Steam Navigation Company, (Limited), Rangoon.
Dated—the 7th January 1910.
No.—144/1L-1.

I have the honour to acknowledge receipt of your letter, dated the 5th January 1910, regarding the levy of Madras Coast light dues under the revised notification. It appears to me that you exaggerate the difficulties of getting a refund of the 1 pie per ton which may under the present temporary orders be levied here in excess in the case of steamers which use both groups of lights. The production of the receipt granted at the first port of call in the Western group will be a sufficient voucher and ought to be readily available.

2. Until definite orders are received, some procedure must be adopted, and I prefer to collect the dues at the maximum rate and to refund the excess collection when it is shown that the vessel is liable to dues at a lesser rate. The inconvenience will only be a temporary one and I prefer to await definite orders on the point at issue before altering the present practice.

3. In compliance with your request, a copy of this correspondence is being forwarded to the Financial Commissioner for information.

Memorandum No. 286-1, Marine, dated 12th March 1910.

Referred to the Presidency Port Officer for favour of remarks.

(By Order.)

J. W. BHOSE,
Ag. ~~Secy~~ Secretary to Government.

Letter—from Commander T. A. L. de BEURY, R.I.M., Presidency Port Officer, Madras.
To—the Chief Secretary to Government.
Dated—the 19th March 1910.
No.—1271/92 G.

With reference to Memorandum of Government, No. 286-1, dated 12th March 1910, I have the honour to state that I see no objection, in the circumstances explained by the Secretary to the Government of Burma, to charge class I vessels, at the port of departure, with light dues at 6 pies per ton for the first group of lights only, and the balance of 4 pies per ton at the first port of call within the other group, in the same voyage, to safeguard the revenue in the event of the steamer changing her destination before touching the first port of call in the second group. The excess payment of 1 pie will of course be admissible if the vessel continues her voyage as class I vessel, as originally intended.

I would however point out that the levy of light dues on class I vessel, in the manner suggested, is at a rate not prescribed in the schedule by the Local Government for this class of vessels, and is likely to lead to unnecessary correspondence and delay in the recovery or refund of dues, if the receipt for the first payment cannot be produced, as is often the case, when payment is demanded at the first port of call in the second group, or a refund is claimed, owing to the various movements in the interval of the vessel concerned.

I would therefore suggest, for the consideration of Government, that if the concession granted by the Government of India (vide G.O., No. 440, Marine, dated 9th November 1904) and proposed to be availed of by class I vessel is only for the purpose of avoiding a second payment for the second group of lights, should the vessel call at the first port in that group of departure, and if the vessel has no dues for that group at the original port of departure, and if the vessel has no intention of changing her destination when obtaining her clearance, she might be asked to pay at the port of departure dues for both group of lights (at 5 pies per ton for each group) as per schedule, and a receipt granted for the amount, with a note, that payment of light dues for the second group shall be held to count from the date the vessel calls at the first port in that group in the same voyage. In this case, if the Port Officer at the latter port is satisfied, that the vessel called at his port in the same voyage after payment of light dues for his group at the original port of departure, he may endorse on that receipt the date on which the vessel called at his port; and this will be a sufficient guarantee for the light dues not being demanded a second time for the second group in the same voyage at any other port in that group, within thirty days after the vessel has entered the first port in that group.

No. 256, MARINE, 22ND AUGUST 1910.

Letter—from A. C. McWATTERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry. (Lighting of Coasts).

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 1st August 1910.

No.—5420-3.

With reference to the correspondence ending with your letter No. 147, dated the 27th April 1910, I am directed to forward, for the information of His Excellency the Governor in Council, a copy of a letter No. 5416-3, dated the 1st August 1910, addressed to the Government of Burma on the subject of the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western groups of Madras coast lights and *vice versa*.

2. I am to say that the Government of India have carefully considered the alternative proposal put forward in your letter under reply. In their opinion it would not satisfactorily meet the case of a vessel which used the first group of lights only and then returned, as such a vessel should pay at the rate of 6 pies per ton for the first group of lights only, and the adjustment of the fees charged in excess might involve correspondence and delay. The Government of India consider that the procedure described in the letter to the Government of Burma is on the whole the most suitable, and they have accordingly decided to adopt it.

ENCLOSURE.

Letter—from A. C. McWATTERS, Esq., I.C.S., Under Secretary to the Government of India, Department of Commerce and Industry. (Lighting of Coasts).

To—the Secretary to the Government of Burma, Commerce department.

Dated—Simla, the 1st August 1910.

No.—5416-3.

I am directed to acknowledge the receipt of your letter No. 1341/H-5, dated the 29th January 1910, on the subject of the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western group ports. You observe that the concession granted in Mr. Campbell's letter No. 5787 S.R., dated the 17th September 1904, is not applicable to the new conditions brought into force by the revised rates of light dues fixed by the notification of the Government of Madras, No. 332, Marine, dated the 6th November 1909; and suggest that, in the case of such vessels, the full fee of 6 pies per ton should be charged at the port of departure, and on the production of the receipt for this payment at the first port of call within the second group of lights on the same voyage 4 pies per ton only should be charged for that group.

2. In reply, I am to say that the Government of India are pleased to approve of the adoption of this procedure in the case of vessels clearing from Rangoon and Calcutta for Bombay *via* the Eastern and Western groups of Madras Coast lights, and *vice versa*, on the understanding that the concession shall only apply to vessels the owners or agents of which have given the undertaking referred to in paragraph 3 of Mr. Campbell's letter No. 5787 S.R., dated the 17th September 1904, and subject to the conditions specified in that letter.

No. 5417-5419-3.

A copy is forwarded to the Government of
Bombay, Marine department,
Bengal, Marine department,
Eastern Bengal and Assam, Public Works (Marine) department,

for information, with reference to the correspondence ending with the letter from that Government, No. 81 T/Marine, dated the 27th June 1910.

5784,
16th May 1910.
28th June 1910.

(By Order, etc.)

A. C. McWATTERS,
Under Secy. to the Govt. of India.

IV
Lighting of Coasts

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No. 256, MARINE, 22ND AUGUST 1910.

Order—No. 256, Marine, dated 22nd August 1910.

With reference to the marginally-noted proceedings,* the Presidency Port Officer and the other officers concerned are informed that the Government of India have decided that in the case of vessels clearing from Calcutta and Rangoon for Bombay *via* the Eastern

and Western groups of Madras Coast lights, and *vice versa*, the full fee of 6 pies per ton should be charged at the port of departure, and on the production of the receipt for this payment at the first port of call within the second group of lights on the same voyage, 4 pies only per ton should be charged for that group. This concession will apply only to vessels the owners of which have given the undertaking referred to in paragraph 2 of G.O., No. 440, Marine, dated 9th November 1904, and will be subject to the conditions specified therein.

(True Extract.)

W. S. MEYER,
Chief Secretary.

To the Presidency Port Officer,
" Accountant-General. } (Order only).
" Collectors of Maritime districts.
" Copy to the Revenue department.
" " Public Works department.
Forwarded to

(By Order.)

Registrar,
Local and Munt. Dept.

G.O., No. 256, 22nd August 1910.

Coast Light Dues.

Communicating to the officers concerned the decision of the Government of India in regard to the procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay *via* the Eastern and Western groups of Madras Coast lights and *vice versa*.

MARINE DEPARTMENT.

NOTES.

[SUBJECT.—Coast Light dues.]

From the Government of India, Department of Commerce and Industry, dated 26th February 1910, No. 1594-3.

NOTES CONNECTED WITH G.O., No. 147, MARINE, DATED 27TH APRIL 1910.

Assistant Secretary—

Under the revised schedule attached to the Marine department notification in G.O., No. 332, dated the 5th November 1909, the rates of coast light dues leviable on vessels utilising only one group of port lights during a voyage are 6 pies per ton, and 5 pies for each group of lights or 10 pies per ton for the voyage for vessels utilising both groups. But according to the concession granted by the Government of India in G.O., No. 440, Marine, dated the 9th November 1904, vessels clearing at Calcutta or Rangoon for "Bombay via the ports of the Eastern and Western groups, can pay the light dues under the Madras Coast Lights Act, 1904, in respect of the eastern group of lights only, at the port of departure, the dues on account of the western group being paid at the first port of call within that group and vice versa. So a vessel clearing at Rangoon for Bombay will have to pay light dues at the rate of 6 pies per ton at Rangoon, and at 5 pies per ton at the first port of call within the western group, thus bringing the total for the voyage to 11 pies or 1 pie in excess of the rates fixed under class I of the schedule. To overcome this difficulty the Government of Burma suggest that a vessel clearing at Rangoon for Bombay via the ports of the eastern and western groups should be charged the full rate of 6 pies per ton for the eastern group at the port of departure, and on the production of the receipts for this payment at the first port of call within the western group on the same voyage, a rate of 4 pies only per ton should be charged for that group.

2. The Government of India ask to be favoured with the views of this Government on the proposal recommended by the Government of Burma. Perhaps the views of the Presidency Port Officer may be obtained in the matter.

3. Draft endorsement submitted for approval.

V.S.—12-3-10.

A.R.—12-3-10.

Issue.

J. W. BHOSE—12-3-10.

[Memorandum to the Presidency Port Officer, dated 12th the March 1910, No. 286-1.]

From the Presidency Port Officer, dated the 19th March 1910, No. 1271-92 G.

Assistant Secretary—

The President Port Officer states that he has no objection to the proposal of the Government of Burma to charge class I vessels at the port of departure with light dues at 6 pies per ton and to charge 4 pies per ton at the first port of call within the other group in the same voyage.

2. He however points out that the levy of dues in the manner suggested by the Government of Burma is at a rate not prescribed in the schedule in G.O., No. 332, Marine, dated 5th November 1902, and is likely to lead to unnecessary correspondence and delay in the recovery or refund of dues.

3. He therefore suggests that a class I vessel might be asked to pay at the port of original departure the light dues for both groups at 5 pies per ton for each group as per schedule, with a note on the receipt granted for the amount, "that payment of light dues for the second group shall be held to count from the date the vessel calls at the first port in that group in the same voyage" so as to secure the benefit of the proviso to paragraph 1 of the notification*, which exempts a vessel from further payment of light dues within a period of 30 days from the date on which such dues were paid.

* In G.O., 332, Marine, 5th November 1909.

In G.O., 332, Marine, 5th
November 1909.

4. As the exemption under the proviso is for a period of 30 days from the date on which such dues were paid, and not from the date on which a vessel called at a particular port, it is for orders whether an endorsement on the receipt as suggested by the Presidency Port Officer would by itself suffice to exempt class I vessels from further payment or whether any change in the wording of the proviso is necessary.

T.S.—23-3-10.

It is submitted that the Presidency Port Officer's suggestion is in accordance with the ruling in G.O., No. 359, Marine, dated 9th September 1904, but that there would be some difficulty in giving effect to it in view of the wording of the proviso to section 3 of the Madras Coast Lights Act IX of 1904. Another way out of the difficulty would be to make the coast lights dues levied under the Act on account of the eastern group payable at the first port of call instead of at the port of departure.

For orders.

A.R.—4-3-10.

Deputy Secretary—

Before the issue of G.O., No. 440, Marine, dated 9th November 1904, class I vessels, under which would fall vessels clearing from Calcutta or Rangoon via Coast Ports for Bombay and using both groups of lights, paid light dues for both groups at the port of clearance and were of course subject to the proviso to section 3 of the Madras Coast Lights Act (IX of 1904), viz., that when such light dues have been paid for either eastern or western group no further coast light dues on account of lights in the same group shall become payable in respect of that vessel for a period of thirty days from the date of payment.

2. It was represented that this rule worked hardly in some cases, e.g., where a vessel did not enter a port of call in the second group till after the statutory period of thirty days had elapsed, in which case the charge for the second group would again have to be paid. On this being represented to them the Government of India, as a matter of grace and subject to reconsideration, granted the concession that class I vessels might, if they chose, pay dues for one group of lights only at the port of clearance and for the other group at the first port of call in that group. The difficulty that has now arisen is owing to the fact that the dues for a vessel using both groups of lights are 5 pies per ton for each group while for a vessel using only the eastern group the charge is 6 pies per ton. The result has been that the chief Collector of Customs, Rangoon, in permitting a vessel, clearing from Rangoon to Bombay and using the two groups of lights, to pay only for the eastern group, has insisted on payment of a charge of 6 pies per ton. This was no doubt in order to safeguard the revenue, should the vessel change her destination after using the eastern group of lights only. I, however, venture to think this charge of 6 pies per ton in such a case is not strictly authorized. G.O., No. 440, Marine, dated 9th November 1904, under which the charge is made, allows the payment beforehand of dues for a single group of lights by steamers falling under class I and under the schedule the dues for either eastern or western group separately from a vessel of this class is 5 pies a ton. It is true that the charges have been revised since 1904, but I do not think that alters matters. The charge at the port of clearance should, I think, be 5 pies per ton and to safeguard the revenue, should a vessel after clearing from a port change her destination using only a single group of lights and thus make herself liable to pay 6 pies for the single group, an understanding may be taken from the agents or owners to pay the extra one pie per ton. It would, I presume, be rarely that a vessel which cleared for a definite port, would entirely alter her destination, so that it is probable that in practice this would be the simpler arrangement. It is practically that suggested in paragraph 7 of the letter from the Assistant Secretary to the Financial Commissioner.

J. W. BHOORE—8-4-10.

I incline to agree with the Presidency Port Officer but it does not seem to be a matter of much moment, and we may leave it to the Government of India to decide. Draft setting out the three alternative proposals, and noting the objection to them, and recommending the Presidency Port Officer's.

F. B. EVANS—9-4-10.

True; but the whole concession is not strictly according to the letter of the law, which says that the whole dues shall be paid before a vessel clears for a particular voyage.

F.B.E.—9-4-10.

But how is it to be ascertained whether she goes to the second group or not.

F.B.E.—9-4-10.

8/9/10

3

Assistant Secretary—
A draft letter to India is submitted for approval.

V.S.—13-4-10.
A.R.—15-4-10.

Retype the last two pages. F.B.E.—16-4-10.

Typed and submitted.

A.R.—18-4-10.
His Excellency the Governor—

Submitted for approval. F.B.E.—18-4-10.

Draft approved. A. L[AWLEY]—21-4-10.

[G.O., No. 147, Marine, dated 27th April 1910.]

II

8/9/10

Q. Q. Quenopuza

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MARINE DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 256, MARINE, DATED 22ND AUGUST 1910.

[SUBJECT—*Procedure to be adopted for the recovery of light dues from vessels clearing from Calcutta or Rangoon for Bombay via the Eastern and Western group ports.*]
From the Government of India, Department of Commerce and Industry, dated 1st August 1910, No. 5420-3.

Under Secretary—

Pleas see letter No. 147, Marine, dated 27th April 1910, to the Government of India, and the correspondence to which it is a reply. A draft order in accordance with the decision of the Government of India is submitted for approval.

S.P.A.—18-8-10.

Issue.

J.W.B.—18-8-10.

[G.O., No. 256, Marine, dated 22nd August 1910.]

8/9/10

[7]

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