M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Returned **DEPARTMENT.**

G.O. No. 33	Press ~~Mis.~~
63-64	
Dated 9-1-	1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 9th January 1862.

No. 63. Read the following letter from C. H. LUSHINGTON, Esq., Secretary to the Government of India (Financial Department), to the Secretary to the Government of Bengal, Fort William, Council Chamber, 11th October 1861, No. 13,308 :—

SIR,

1. I am desired to forward to you a copy of a Separate Revenue Despatch from the Secretary of State, No. 28, dated 2nd August last, and its enclosure, relative to a complaint preferred by the Oriental Inland Steam Company in London, that the integral parts of certain vessels imported into Calcutta for the navigation of the Ganges, have not, like those which the Company had imported into Kurrachee for the navigation of the Indus, been exempted from Customs duty, and to request that this Department may be furnished with a report from the Collector of Customs, as to what component parts of the vessels referred to were passed free, and what portions subjected to Customs dues.

2. At the same time, I am to request that the necessary orders may be issued for the refund of the amount of duty improperly levied, under the views expressed by the Secretary of State.

No. 13,309.

Ordered, that a copy of the above letter, and of the papers therein referred to, be sent to the Governments of Madras and Bombay, in continuation of previous correspondence on the same subject, for information.

Ordered, also, that a copy of the Secretary of State's despatch, and of its enclosure, be sent to the Clerk of the Legislative Council, for the consideration of the Council, in connection with the consolidated Customs Bill.

From Sir C. WOOD, Bart., M. P., Secretary of State for India (Separate Revenue), to His Excellency the Right Honorable the Governor General of India in Council, No. 28, dated London, 2nd August 1861.

MY LORD,

1. I have had under my consideration in Council, the accompanying letter* from the Managing Director of the Oriental Inland Steam Company, complaining that the integral parts of certain vessels imported into Calcutta for the navigation of the Ganges have not, like those which the Company had imported into Kurrachee for the navigation of the Indus, been exempted from duty.

* Dated 11th July 1861.

2. It seems to me that the complaint of the Company is well founded. In the several despatches on this question, noted in the margin, you were informed that it was the desire of Her Majesty's Government that a liberal interpretation should be placed upon the provision of the law granting exemptions from duty to articles of machinery; and although in the last of these despatches referred to, in consequence of your representing the difficulties attending the definition of such articles, I consented to your reverting to the previous practice, and limiting in any future Customs Act, such exemptions to machinery used exclusively for certain purposes, one of which was navigation, it was nevertheless my intention where such difficulties did not exist, that the materials forming necessary component parts of machinery, and imported with it, should be exempted from Customs duty.

From Lord Stanley, 19th January (No. 1) 1859.
" Sir C. Wood, 20th September (No. 11) 1859. to India.
16th May (No. 24) 1860. to Bombay.
5th September (No. 27) 1860. to India.

3. In the present case, it is not denied that the articles in question were component parts of vessels, introduced by the Company, for the navigation of the Ganges.

4. I am therefore of opinion that no duty should have been charged upon any thing which could be fairly reckoned as an integral part of these vessels, or as absolutely necessary for their construction; and that the duty which may have been received upon such portions should be refunded to the Agents of the Company.

5. I shall cause Mr. Bourne to be informed accordingly.

From J. BOURNE, Esq., Managing Director, Oriental Inland Steam Company, Limited, to the Under Secretary of State for India, dated London, 11th July 1861.

SIR,

1. I have the honor to forward to you copies of correspondence sent to us by Messrs. May Pickford & Co., our Agents in Calcutta, respecting the admission, duty free, of some steamers and barges which we have sent to India for the navigation of the Ganges. The vessels we sent to Kurrachee for the navigation of the Indus were admitted, duty free, and on application for the same privilege in the case of the vessels sent to Calcutta, the Governor General issued an order which we should have understood to apply to all the integral parts of the vessels themselves, but not to any stores which might have been sent with them.

2. The Collector of Customs, however, in Calcutta, declines to allow any other part of the steamers and barges to pass, duty free, except the plate iron entering into their structure. For this plate iron, we are unable to state any separate price, as it formed a portion of the price of the vessels, and our contracts were made for completed vessels, the value of which we stated to the Collector. As our Agents state that nothing further can be done in Calcutta, in rectification of this matter beyond what they have already attempted, I beg to be allowed to bring it under the notice of the Home authorities, with the request that they will be pleased to give such instructions respecting it as will meet the justice of the case.

No. 3,057, *Home Department, Fort William, the* 12*th September* 1861.

Copy forwarded to the Financial Department, for disposal, with reference to the communication from this Department, No. 638, dated the 2nd April 1861.

(True Copy.)

(Signed) C. H. LUSHINGTON,
Secretary to the Govt. of India.

No. 64.

ORDER THEREON, 9th January 1862, No. 33.

Ordered to be communicated to the Collector of Sea Customs and to the Collector of Maritime Districts, through the Board of Revenue.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

No. 13308

FROM C. H. LUSHINGTON, ESQUIRE,
SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT;

TO THE SECRETARY TO THE GOVERNMENT OF BENGAL.

Fort William, Council Chamber, the 11*th October* 1861.

Financial Department.

SIR,

I AM desired to forward to you a copy of a Separate Revenue despatch from the Secretary of State, No. 28, dated 2nd August last, and its enclosure, relative to a complaint preferred by the Oriental Inland Steam Company in London, that the integral parts of certain vessels imported into Calcutta for the navigation of the Ganges, have not, like those which the Company had imported into Kurrachee for the navigation of the Indus, been exempted from Customs duty, and to request that this Department may be furnished with a report from the Collector of Customs, as to what component parts of the vessels referred to were passed free, and what portions subjected to Customs dues.

At the same time, I am to request that the necessary orders may be issued for the refund of the amount of duty improperly levied, under the views expressed by the Secretary of State.

I have the honor to be,

SIR,

Your most obedient servant,

Secretary to the Government of India.

No 13309

ORDERED, that a copy of the above letter, and of the papers therein referred to, be sent to the Governments of Madras and Bombay, in continuation of previous correspondence on the same subject, for information.

Ordered, also, that a copy of the Secretary of State's despatch, and of its enclosure, be sent to the Clerk of the Legislative Council, for the consideration of the Council, in connection with the consolidated Customs Bill.

(14)

Boston 1861 Dec 1st
Inc. of Lett. for Jany. 62
No 2761

From Secretary Treas
Dept of Treasy
Date 12th October 1861
Received 25th Nov
(Encl 1) No 13309

No 133. 9th January

Forwarding Certain
Papers relative to the
Complaints by the
Dist Company that the
Entire & parts of certain
Goods imported into
Calcutta for the Navy &
Troops have not been
Exempted from Duties
&c &c.

Geo. 33

Ordered to be com-
municated to the Collector
of Sea Customs, and to the
Collectors of Maritime Districts,
through the Board of Reve-
nue

Fort St George
9th Jany 62

11 Copies
To the Board of Revenue. Pers. 10