

Public (1895) Department.

ORDINARY PRINTED.

G.O., No. 8

DATED 10 Jan. 1895

[Despatch Abstract.]

Collector of Sea Customs.

Stating that the suggestion of the Chamber of Commerce for the appointment as---of an officer who would remain for some considerable time as such will be considered when a vacancy occurs, and adding that officer to the list of officers precluded from applying for furlough during two years immediately following their appointment.

BACK PAPERS.

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

FURTHER PAPERS.

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

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ORDINARY, PRINTED.

Pub DEPARTMENT.
G.O., DATED 10 Jan 1895
No. 8

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READ AGAIN ORDER OF GOVERNMENT, DATED
18th No.

BACK PAPER, No.

OF 18

FURTHER PAPER, No.

OF 18

ENCLOSURES.

CURRENT No.

STATEMENT WITH DFTO.

ORDER, &c., OF GOVERNMENT—A.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL
(not paged).

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Letter only.
Order complete with Letter.

N.B.—

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B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.

Read the following paper.

408

8TH NOVEMBER 1894, No. 789, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Separate Revenue), dated
15th October 1894, Mis. No. 4451:—

Read—the following letter from HENRY BEAUCHAMP, Esq., Acting Secretary,
Chamber of Commerce, Madras, to the Secretary to the Commissioner of
Salt, Abkari and Separate Revenue, dated 20th September 1894:—

In enclosing copies of correspondence that has recently passed between the
Chamber and the Collector of Sea Customs, Madras, with regard to the working of the
new Customs Act, I have the honour to enquire whether the Board will be so obliging
as to furnish the Chamber with a copy of the decisions referred to in the first paragraph
of the Collector's letter of the 30th ultimo, as he states that he is not at liberty to
comply with the Chamber's request.

Resolution—dated 15th October 1894, Mis. No. 4451.

Submitted for the orders of Government. The Board is of opinion that the widest
publicity should be given to all rulings and orders on the interpretation of the Tariff
Act.

2. If the request of the Chamber of Commerce to furnish it with copies of the
decisions on the points referred to is to be complied with, extracts of paragraph 10 of
enclosure No. 1 to the Government of India's letter communicated in Govern-
ment Order, Revenue Department, dated 26th April 1894, Mis. No. 1650, and of the
Government of India's letter, dated 25th June 1894, No. 3172-S.R., communicated
in Government Order, Revenue Department, dated 23rd July 1894, No. 534, will
be supplied.

(True Copy and Extract.)

(Signed) EDMUND MILLETT,
Assistant Secretary.

To the Secretary to Government, Revenue Department.

READ—also the following letter from the Hon'ble Mr. J. A. BOYSON, Chairman,
Chamber of Commerce, Madras, to the Secretary to Government, Revenue
Department, dated Madras, 20th October 1894:—

The Chamber has the honour to draw the attention of the Madras Government,
and through it of the Supreme Government, to the grave dissatisfaction that exists
amongst local importers with regard to the manner in which the new Tariff Act is
being interpreted by the Customs officials, especially in connection with such an
important article of import as machinery. This feeling of dissatisfaction has been
made known to the Chamber on many different occasions within the last few months,
and after thoroughly discussing the subject in General Meeting and in Committee,
the Chamber has come to the conclusion that a representation to Government is
advisable as the situation has become intolerable.

It is unnecessary perhaps to particularise all the complaints that have come to
its knowledge, but the Chamber requests permission to refer briefly to one or two
cases in which the decisions of the Customs officials appear to be open to objection—

(1) Duty was levied on coffee-pulpers, which were brought under the heading
of "hardware and cutlery," although a pulper is essentially a machine and should be
classed as such. The decision of the Collector of Sea Customs was appealed against,
but the Board of Revenue upheld the decision.

(2) Duty was levied on a grindstone, which was brought under the heading of "building materials," although it was shown to be an essential part of a steam-driven grinding machine and should have been classed as such. On appeal the Board of Revenue briefly upheld the Collector's decision, quoting Government of India Order, dated 12th April 1894, No. 1866-Statistics, which Government Order has never been published, and a copy of which was refused on application.

(3) Picking-bands (an important component part of cotton mill machinery) were declared liable to duty in spite of a protest that they were indispensable to the working of a loom. A part, indeed, could not be more completely "component" than a picking-band. It may be remarked that the Collector in this case also quoted a Government of India order, which has not been published and a copy of which was refused to the party concerned.

(4) Woollen washers were declared liable to duty, although they are not only part of a winding machine, but are imported in the same packages with the rest of the machine.

(5) Mill-stores generally are being treated with extreme severity and injustice, and the free list seems to promise to get less and less as time goes on. For instance, a boiler is free, but the mountings which accompany it, but which happen to be packed separately, are declared dutiable. Crabs and crab winches, drilling machines and lubricators are declared to be dutiable and not machinery. Further, it is impossible to understand how duty can be fairly levied on such essential parts of cotton mill machinery as roller skins, roller cloths, clearer cloth, spindle banding, hose pipes, rubber rings, cotton ropes and many others.

(6) With regard to cotton belting the case appears very hard. It is impossible to understand on what principle duty is levied on cotton belting, while leather belting is admitted free. The former performs exactly the same function in machinery as the latter. As there is no duty on cotton goods it taxes one's ingenuity to discover the principle on which cotton belting is taxed. However, the Madras Customs officials give as their reasons for taxing cotton belting (1) that it is not specifically exempted as leather-belting is under Schedule IV of the Act, and (2) that it is coated with a composition which renders it liable to duty under section 21 of the Sea Customs Act. The Chamber submits that it is the evident intention of the Act to exempt belting generally as a component and very important part of machinery, and if the Madras ruling with regard to cotton belting here referred to were carried to its logical conclusion, the Customs officials would be at liberty to charge duty on several qualities of piece-goods because they are finished with size, containing ingredients which are dutiable under the Act!

(7) Still more illogical in the Chamber's opinion was the refusal of the Customs officials here to pass consignments of what are known in the piece-goods trade as "handkerchiefs," but which are really piece-goods and not the articles known as handkerchiefs in haberdashers' shops. This decision has, the Chamber is glad to learn, since been rescinded by the Government of India, but it may be quoted as showing how narrow and rigid the Customs officials sometimes are in their interpretation of the Act.

In the Chamber's opinion there are four steps which Government might reasonably take to remove the present very grave dissatisfaction of importers with regard to official interpretations of the Tariff Act, and these are: (1) the appointment of a Committee composed of Customs officials and representative importers to go thoroughly into the question as to what articles of import should be dutiable under the Act and what should not, wherever any doubt may exist; (2) the elaboration of the present schedules, which are by no means as explicit and detailed as they might be; (3) the publication in the *Gazettes* and the communication to Mercantile and Trade representative bodies of all Government decisions with regard to questions raised and adjudicated upon under the Act; and (4) the appointment of Collectors of Sea Customs who would remain for some considerable time as such.

The first of these steps has already been advocated by the Bengal Chamber of Commerce, and it has this Chamber's thorough approval. Such a Committee would doubtless be able to remove, in an amicable manner, the friction with Customs

officials which is at present hampering the import trade all over India. The Committee might also be very well employed in enlarging and explaining the schedules, the second step suggested by the Chamber. With regard to the third step the Chamber considers that it is essential, to a proper administration of the Act, that all rulings under it should be made public and rendered accessible to all affected by them. At present the Madras Customs officials refuse to communicate any rulings of the Government of India under the Act without the latter's express permission as it is against official etiquette to do so. This, it may be imagined, is extremely irritating and unsatisfactory to persons who are labouring under the impression that the Act has been misinterpreted in their case and to whom an exact knowledge of the Government of India's ruling might either remove the irritation or suggest fresh grounds for appeal.

With regard to the fourth step the Chamber would respectfully point out that according to the practice of recent years in Madras there have been numerous and frequent changes in the *personnel* of the Collectorate of Sea Customs. As soon as a Collector has become acquainted with his duties (and in some cases before he can possibly have become acquainted with them at all) he has been transferred or has retired. This practice, the Chamber submits, is one that precludes all possibility of really efficient administration and deprives the Mercantile Public of that confidence in the Collector's judgment which is so essential to the smooth working of the Acts which the Collector has to execute.

Lastly, in addition to the complaints on the score of rulings, which cause much delay and waste of time and money, there are also many loud complaints on the score of delays in actually passing goods through the Customs and in obtaining vouchers for payments of duty which have been debited to deposit accounts. The staff of Customs officers would appear to be quite inadequate to cope with the work that has to be done and the consequence is that importers are put to great inconvenience and delay. In Madras a preference appears to be given to goods cleared on cash payment, and depositors instead of getting preference to, or being treated on equal terms with the rest, are made to wait for their bills.

In conclusion, the Chamber trusts that Government will do all in its power to remedy the defects that now exist—defects which are as inimical to the interests of the country at large as to the importers who suffer from them in the first instance. An extra copy of this letter is enclosed for favour of submission to the Government of India as early as possible.

ORDER—dated 8th November 1894, No. 789, Revenue.

Separate Revenue No. 97.

The Board of Revenue is requested to communicate to the Chamber of Commerce, Madras, copies of all the decisions passed by the Government of India regarding the application of the Tariff Act, 1894, to particular classes of goods, such as letter, dated 27th April 1894, No. 2123-S., in G.O., dated 5th May 1894, Mis. No. 1797, and letters Nos. 3297 and 3298, dated 3rd July 1894, in G.O., dated 18th July 1894, Mis. No. 2795, together with a copy of the summary of previous decisions printed in Board's Proceedings, * dated 30th April 1894, No. 154. With regard to the series of papers printed in G.O., dated 23rd July 1894, No. 534, copies of such of them only should be given as contain decisions of the Government of India.† A similar course will be observed in regard to future decisions.

* In G.O., dated 4th October 1894, Mis. No. 3838.
† i.e., letter dated 18th June 1894, No. 3046-S.R., and letter, dated 25th June 1894, No. 3172-S.R.

2. With reference to the orders of the Government of India communicated with G.O., dated 2nd March 1894, No. 906, and in continuation of G.O., dated 31st August 1894, No. 632, the Board of Revenue will be authorized to entertain forthwith the additional hands sanctioned in the Government Order last referred to, with the exception of the Head Appraiser on Rs. 400.

3. The attention of the Board of Revenue will be drawn to its decisions numbered (2) and (5) as quoted in the Honorable Mr. Boyson's letter, herewith forwarded. These decisions which appear to have been arrived at in accordance with the instructions in the "Summary of Decisions" already referred to may possibly require revision in the light of the principles laid down in the Government of India letter, dated 25th June 1894, No. 3172, read in G.O., dated 23rd July 1894, No. 534.

4. Of the four suggestions made by the Chamber of Commerce in the letter last referred to for removing the causes of dissatisfaction in regard to the working of the Tariff Act, the first and second are for the consideration of the Government of India who will accordingly be addressed on the subject. The third suggestion has been dealt with in paragraph one of this order. (The fourth will be transferred to the Public Department for consideration.)

(True Extract.)

W. H. B. B.

Secretary to Government.

To the Board of Revenue (Separate Revenue).

Copy to the Chairman, Chamber of Commerce.

To the Public Department (with copy of Mr. Boyson's letter).

Exd. C. M. Brisson.

50 Copies.

It is to be noted that the first and second suggestions are for the consideration of the Government of India who will accordingly be addressed on the subject. The third suggestion has been dealt with in paragraph one of this order. (The fourth will be transferred to the Public Department for consideration.)

3509

Pub go no 75429-10-94

Govt. of {1894} Madras
REVENUE.

CHIEF SECRETARY
30. NOV. 1894
GOVERNMENT OF MADRAS

Issued

Recd. 30/11

Ref 1/12

Encl.

G.O., 8th November 1894, No. 789.

NOVEMBER.

Tariff Act, 1894.

Requesting the Board of Revenue to communicate to the Chamber of Commerce copies of all the decisions of the Government of India regarding the application of the — to particular classes of goods, and forwarding to the Government of India, with remarks, a letter from the Hon'ble Mr. J. A. Boyson, drawing attention to the grave dissatisfaction alleged to exist among local importers about the manner in which the Tariff Act is being interpreted.

H.M. & H.L. the Govt

For Orders

With reference to the suggestion of the Chamber of Commerce as to the appointment of collectors of sea customs who would remain for some considerable time as such.

It is submitted that nothing more can be said than that the matter will not be lost sight of when future appts. are made. The ground would hardly be a sufficiently strong one to justify the appt. of a junior officer - and the fact of the Collr. being also Cl. of the H.S. Bd. renders it necessary that he should be a senior man. Mr Austin is not due till Nov. 1895. It is believed he will not remain long in the service after that unless his health is completely restored. The Madras Collectorate is worth Rs. 2333, but as Cl. H.S. Bd. the Collr. gets

P.T.O.

The Rev. Pl. was passed by me, but I don't remember referring to the Public Dept any question regarding the Madras Collectorate - Of course, I may have made a slip, but I think that the Rev. Dept. should have detected it, seeing that there is record a letter of mine (in about 1884) in which I strongly argued that it was essential to have a senior officer in the position of Cl. of Madras. I remain of the same opinion still.

10/12/94

I think we can say that the two matters will not be lost sight of when future appointments are made.

12/12

I should say "considered" rather than "lost sight of" - as the latter expression savours more of an intention to comply with the memorialists' request. Of course we should try & put in an officer who would stay some time - but my experience is that one can never depend on any permanence in any position occupied by a civilian - and I do not think that we can possibly put in a junior man, who would be likely to stay. We will however "consider" the question when a vacancy occurs.

4000. a month and also 2000. for migration work. If the last two duties could be otherwise provided for a junior officer might be appt? who would hold the Collectorate for a long time. The appt. ~~is~~ is a plum of the Service and it wd. be better to let it remain as it is.

35B
5/12

It would be quite out of the question to create the Chairmanship of the H.S. Bd. & the migration from the Collectorate. The latter office is held always out of Madras by the Collector though not styled Protection and it is desirable that the Chairmanship of the H.S. Bd. should be occupied by a Jt. Officer of Position. No doubt the place has been frequently treated as one to be occupied by a senior officer who is not thought good enough for the Bd. and it would probably be desirable if the wishes of the Chamber could be met in this respect but this cannot always be done. What is proposed in the office note seems to be the best present disposal of the matter. 8/12/94.

Appt. of Collr. of Madras

Hon. H. W. Bliss C.S. 2.
and Ciro.

for 8.1.95 Sub

I think so

MS

21/12/94

yes to
6 Jan

Resubmitted for
orders whether the
appt. of Collector of
Madras may be
added to those enum-
erated in the Appen-
dix to G.O. of 28.6.92,
No 675 Final.

25B
17/11.

MS
19/12/94

2P

Order No Jan-1895 ✓ 8

Recorded. The
question will be con-
sidered when a
vacancy occurs.

2. The appt. of Collr.
of Madras will be
added to those enum-
erated in the Appendix
to G.O. of 28.6.92, No
675. Final.

from orders.

The Revenue Dept 7
(with copy of the Hon.
Mr Bliss' note of the
10th Decr.)

Chairman Cl. of Commerce
with copy of G.O. 28.6.92, No 675.

Accepted 6

depts
18/11/95

25B
9/1/95.

MS 9/1.

10TH JANUARY 1895, No. 8, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

G.O., dated 8th November 1894, No. 789, Revenue.

Read—the following extract from letter from the Hon'ble Mr. J. A. BOYSON, Chairman, Chamber of Commerce, Madras, to the Secretary to Government, Revenue Department, dated Madras, 20th October 1894 :—

In the Chamber's opinion there are four steps which Government might reasonably take to remove the present very grave dissatisfaction of importers with regard to official interpretations of the Tariff Act, and these are: . . . and (4) the appointment of Collectors of Sea Customs who would remain for some considerable time as such.

With regard to the fourth step the Chamber would respectfully point out that according to the practice of recent years in Madras there have been numerous and frequent changes in the *personnel* of the Collectorate of Sea Customs. As soon as a Collector has become acquainted with his duties (and in some cases before he can possibly have become acquainted with them at all) he has been transferred or has retired. This practice, the Chamber submits, is one that precludes all possibility of really efficient administration and deprives the mercantile public of that confidence in the Collector's judgment which is so essential to the smooth working of the Acts which the Collector has to execute.

Order—dated 8th November 1894, No. 789, Revenue.

4. Of the four suggestions made by the Chamber of Commerce in the letter last referred to for removing the causes of dissatisfaction in regard to the working of the Tariff Act, . . . The fourth will be transferred to the Public Department for consideration.

(True Extract.)

(Signed) E. GIBSON,
Secretary to Government.

ORDER—dated 10th January 1895, No. 8, Public.

Recorded. The question will be considered when a vacancy occurs.

2. The appointment of Collector of Madras will be added to those enumerated in the appendix to G.O., dated 28th June 1892, No. 675, Financial.

(True Extract.)

Ag. Chief Secretary.

To the Revenue Department.
„ Chairman, Chamber of Commerce.
„ Accountant-General.

Exd. A. Raitt.

Collector Madras

Still and circ.

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c 2/1

Govt. of {1895} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 10th January 1895, No. 8.

JANUARY.

Collector of Sea Customs.

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First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES to C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESTACH
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