(11) (1)

Revenue Department

Minutes of Consultations

2nd June 1857

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Order no 535 dated 2nd June 1857

பாதுகாப்புப்பிரிவு-1

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சரிபார்க்கும்
முதல் மு.நி.பா.எ.
கையொப்பம்

சரிபார்க்கும்
இரண்டாம் மு.நி.பா.எ.
கையொப்பம்

ஒளிப்படச்சி உதவியாளர்
கையொப்பம்

2/535

Fort Saint George, Revenue Consultation of 2d June 1857.

No. 58. Read the following letter from J. D. SIM, Esq., Acting Secretary to the Board of Revenue; to H. FORBES, Esq., Acting Secretary to Government, Revenue Department, dated Fort St. George 11th May 1857, No. 1513.

SIR,

With reference to para. 5 Extract Minutes of Consultation 11th August 1856, No. 849, Revenue Department, I am directed by the Board of Revenue to submit for the consideration of Government, the accompanying Draft Rules* for the sale and import of salt on deposit of security for the purchase money and customs duty respectively, in lieu of actual cash payment on its receipt.

* *A. and B.*

2. The Honorable Company's Solicitor furnished the Board with a form of the agreement to be entered into by purchasers of salt on these terms, but the document appeared too complicated for the object in view. They accordingly requested the Solicitor to endeavour to simplify it, but have not yet received a reply, though that officer's attention has been again called to the matter.

3. The Board are engaged in giving effect to the orders of Government for restricting the operation of Rowanahs to a limited area round each Cotaur, and are in communication with the Collector on the subject.

Circular 30th March 1857, No. 962.

No. 59. ORDER THEREON, No. 535; dated 2d June 1857.

With this communication, the Board of Revenue submit Draft rules as requested in Minutes Consultation dated 11th August 1856, No. 849, for the sale and import of salt on deposit of security for the purchase money and customs duty respectively, in lieu of immediate actual cash payment.

2. The Government approve the rules with the following modifications. Rule 13 authorizes the Collector to proceed at once with the sale of the deposited securities, ten days after the twelve months' credit has expired, without any notice or warning to the depositor. The Government are of opinion that, it would be better for the Collector, immediately on the lapse of the term, to issue a notice on the depositor, warning him that his securities would be sold in satisfaction of his debt, if it were not discharged within fifteen days from the date of serving the notice. The same rule authorizes the Collector to realize the debt by the sale of the debtor's securities, and such other measures as he may deem fitting. The words "and such other measures as he may deem fitting," should be omitted, as they are very indefinite, and would give the Collector power over the entire property and even person of the depositor, who by rule 3 binds himself to abide by the rule.

3. Before however finally authorizing the Board to circulate the rules for general information and guidance, the Right Honorable the Governor in Council resolves to refer them for the opinion of the Honorable Company's Solicitor, so that it may be ascertained whether they could be enforced readily and legally, and without the assistance of a Court of law.

(Signed) H. FORBES,
Acting Secretary to Government.

Rec: No 517

In circulating these rules framed by the Board of Revenue, for the introduction of a system of credit for the sale of cotton on a definite security, I would suggest an alteration in rule

13.

Instead of authorizing the Collector to proceed

at once with the value of
the defaulted securities,
ten days after the Cashier
of the 12 months credit,
without notice or demand.
- ing to the defaulter, it
might be better to make
that immediately on
the table of the terms, the
Collector should issue
a notice to the defaulter.

- ter, requiring him
that the securities

exceed the value in rela-
- tion of the debt, if
it were not discharged
within 15 days of the
date of issuing the
notice -

Also I would suggest
that the words "and
such other measures
as he may deem fit-
- ting" should be
omitted -

These words are very
indefinite, and could

5/35 (A)

The alternations suggested are. I think - advisable.

The order should be shown to the Ofgs Selection - in order that an alternate may be suggested - that they can be readily replaced.

L

H

GG

6/535

Revenue Board Office.
Fort St. George
11th May 1857.

Rec'd the 15th Inst. No. 1513

From
J. D. Sim Esq.
ag Secretary to the Board of Revenue.

To
H. Forbes Esq.
ag Secretary to Government.
Revenue Department.

Sir,

With reference to para 5 Extract Minutes of Consultation 11th August 1856 No 849. Revenue Department, I am directed by the Board of Revenue to submit for the consideration

A and B of Government, the accompanying Draft Rules for the sale and import of Salt on deposit of security for the purchase money and customs duty respectively, in lieu of actual cash payment on its receipt.

2. The Honorable Company's Solicitor furnished the Board with a form of the agreement to be entered into by purchasers of Salt on these terms, but the document appeared too complicated for the object in view. They accordingly requested the Solicitor to endeavor to simplify it, but have not yet received a reply, though that

that Officer's attention has been again called to the matter.

3 The Board are engaged in giving effect to the orders of Government for restricting the operation of Rewards to a limited area round each Coast, and are in communication with the Collector on the subject.

Circular 30th March 1857

Rev. Board Office,
Fort St. George,
11th May 1857.

I have the honor to be,
Sir,
your most obedient servant,

[signature]
ag Secretary

To
H. Forbes Esq
ag Secretary to Government
Revenue Department

[signature]
Madras

[illegible] Dept
Copy of Letter
Dated 11th May 1857
Read 12th
Ans. 13th
No. 1579

[illegible]

6/585

Revenue Dept.

No 535

Extract from the Minutes of Consultation

Under date the 2d June May 1857.

Read the following letter from the Acting Secretary to the Board of Revenue.

Fr

Store enter 11. May 1857

No 1513/

Cy

Mg.

With this comm-
-unication the Board of Revenue submit Draft Rules as requested in Minutes of Consultation dated 11. August 1856, No 8491 for the sale and import of Salt on deposit of Security for the purchase money.

money and customs duty respectively, in lieu of immediate action for payment.

2. The Government approve the rules with the following modifications. Rule 13 authorizes the Collector to proceed at once with the sale of the deposited securities, ten days after the twelve months' credit (now expired) without any notice or warning to the depositor. The Government are of opinion that it would be better for the Collector, immediately on the lapse of the term, to issue a notice on the depositor

depositor, warning him that his securities would be sold in satisfaction of the debt, if it were not discharged within fifteen days from the date of serving the notice. The same rule authorizes the Collector to realize the debt by the sale of the debtor's securities, and such other measures as he may deem fitting" but should be omitted, as they are very indefinite, and would give the Collector power over the entire property and even person of the depositor, who by rule 5 binds himself to abide by the rule.

words "and such other ones as he may deem fit"

3 Before however finally

finally authorizing the Board to circulate the rules for general information and guidance, the Right Honorable the Governor in Council resolves to refer them for the opinion of the Honorable Company's Solicitor, so that it may be ascertained whether they could be enforced readily and [illegible] without the assistance of a Court of law.

Respecting the Appointment.

Desp. 23

1 — Hon. Col. Solicitor with 2 Right Encls. Desp. 3.