Revenue Department.

Minutes of Consultation.

12th March 1858.

Back Nos 23 & 24.

Order No 2918 12th March 1858

No. 755.

From

G. S. FORBES, Esq.,

Secretary to the Board of Revenue.

To

H. FORBES, Esq.,

Acting Secretary to Government

Revenue Department.

Sir,

I am directed by the Board of Revenue to submit for the decision of the Right Honorable the Governor in Council a letter from the Collector of Madras, enclosing copies of a correspondence which has arisen between himself and the Commissioner of Police regarding the authority under which changes are made in the issue of Arrack licenses. The circumstances of the case as it appears in this correspondence are briefly these.

Dated 24th Feb. in Con. 1st March 1858.

2. The Collector lately saw fit to suspend for a time the licenses of two of the Arrack shops, these licenses were of necessity transferred to other holders, and the circumstance was notified to the Commissioner on the 16th ultimo.

3. For reasons which the Board do not clearly gather from his letters and memoranda, Colonel Boulderson has refused to ratify Mr. Cunliffe's arrangement by his own license until the parties under suspension restore to him the licenses he formerly gave them.

4. In the meanwhile the shops remain closed and some loss of revenue to Government is the consequence. It does not appear to the Board that the condition insisted upon by Colonel Boulderson is necessary in order to the sales being carried on as usual by the persons newly licensed by the Collector. It is in fact expressly declared in Section 51 of Act XIV. 1855, that whenever the Abkary license shall terminate, the Police license shall become extinct. The Commissioner seems to them to have placed his authority in collision with that of the Collector without any real necessity, and to persist in withholding his permission to the nominee of that Officer on grounds of mere punctilio.

Revenue Board Office,
Fort St. George,
1st *March* 1858.

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

S. D. [illegible]

Secretary.

Revenue 1858. Depart
Dy. to 1 Mar. No 291

From The Secretary to the
Board of Rev

To The Acting Secretary
Government
Revenue Deptt.

Dated 1st
Rec'd 3d } March 1858.

No 755.

Encl 2 Returned

No 291. 4th March 1858.

Submitting with the Boards remarks for the decision of Government correspondence that has arisen between the Collector of Madras and the Commissioner of Police regarding the authority under which changes are made in the opening of Arrack licenses.

No 23

4

Rev Dept

No 291

Extract from the Minutes of Consultation
Under date the 4th March 58.

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

(Copy enclosed 1st March 58 No 755)

The only objection urged by the Commissioner of Police to the opening of licenses to the parties who have already received the license of the Collector is, that the licenses given to those whom the persons now authorized to open shops are to succeed, have not been returned to him.

This

This objection seems wholly untenable, the Act expressly provides that the withdrawal of the Collector's licences cancels the licence given by the Police, and it is obvious that the position opened by the Commissioner, besides being illegal, may have the appearance of seriously affecting the revenue. The holder of a Police licence cancelled by the revocation of the Collector's licence, has only to destroy it, and, under Colonel Boulderson's view of the question, as the restoration of his licence would be impossible, the

XIV of 1853 Sec I & XI

the shop hitherto licensed could be opened no longer, and the loss which the Government are now suffering could be thus indefinitely increased.

Unless therefore there be reasons other than those already declared by the Commissioner, the Government direct that he follow at once the course which has hitherto obtained, and grant his licence to those shopkeepers who hold a licence from the Collector.

3 Copies to the Board of Rev. with 2 Enclosures Dispatch.

Revenue 1868 Dep.th
Dy. to Coas 12th March

No 291
Extract Minutes No:
Dated 4th March/68

(Directing) the Commissioners of Police to follow at once the course which has hitherto obtained in the issue of Arrack licenses, and to grant this license to those Shopkeepers who hold a license from the Collector.

Nos 23 & 24

F. Bruce 12 M