M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1062 Press ~~Mis.~~

Dated 12th August 1859.

Not to be folded or roughly handled

No. 15. Read the following letter from H. FORBES, Esq., Member of the Legislative Council; to T. PYCROFT, Esq., Chief Secretary to Government Fort St. George; dated Fort William the 18th July 1859.

I have the honor to forward a copy of a Bill to levy a duty of excise on Salt manufactured in Madras, which was read a second time, without opposition on the 16th Instant.

Ordered in consequence that the following letter be despatched.

No. 16. From J. D. BOURDILLON, Esq., Secretary to Government Fort St. George; to H. FORBES, Esq., Member of the Legislative Council for the Madras Presidency; dated 6th August 1859, No. 1062.

I have the honor to acknowledge your letter of the 18th Ultimo, transmitting copy of a Bill for levying a duty of excise on salt manufactured in this Presidency, which has been read a second time in the Legislative Council.

2. In reply, I am directed to call your attention to my letter of the 16th July, No. 953, acquainting you that for reasons stated, this Government think it inexpedient at present to exchange the existing salt monopoly for an excise duty on the manufacture, and to request therefore that you will not proceed with the present Bill.

Revenue Dept.

A

BILL

TO

Establish a Duty of Excise on Salt manufactured in the Presidency of Fort St. George.

WHEREAS it is expedient that the Government monopoly of Salt within the Presidency of Fort St. George shall cease, and that an excise duty shall be levied upon all Salt manufactured therein; It is enacted as follows:

Preamble.

I. Regulation I. 1805 *(for regulating the Revenue derivable from Salt manufactured in the Territories subject to the Presidency of Fort St. George; for establishing a Monopoly of that article, except in the Provinces of Canara and Malabar; for abolishing the Duty on its transit, and fixing a price on the sales)*, Regulation II. 1807 *(for extending the Salt Monopoly to the Provinces of Canara and Malabar)*, Regulation V. 1831 *(to modify and amend the provisions in force for the recovery of the penalties prescribed for certain breaches of the Salt, Tobacco, and Stamp Laws)* excepting Section VII, and Act XVII of 1840 *(for amending Regulation V of 1831 of the Madras Code as far as the same regards penalties for certain breaches of the Salt Laws)*, Sections XLIII and XLIV of

Repealing Section.

Act VI of 1844 *(for abolishing the levy of Transit or Inland Customs duties, for revising the duties on Imports and Exports by Sea, and for determining the price at which Salt shall be sold for home consumption within the territories subject to the Government of Fort St. George)*, and Act VII of 1852 *(for amending Act XVII of* 1840 *as to penalties for breaches of the Salt Laws in the Madras Presidency)*—are hereby repealed, except so far as they repeal the whole or any part of any other Regulation or Act, and except as to any offence which shall have been committed, or to any money which shall have become due, or to any fine or penalty which shall have been incurred, or to any proceedings which shall have been commenced, before this Act shall come into operation.

II. It shall not be lawful for any person to manufacture Salt within the Presidency of Fort St. George without a license under the signature of the Collector of the District in which such Salt may be manufactured.

License to manufacture Salt.

III. The Board of Revenue with the sanction of Government may prescribe such rules, relative to the granting of licenses under the preceding Section, and to the conditions of such licenses, as may from time to time be deemed expedient.

Grant of license.

IV. Every person who shall manufacture Salt without a license, shall forfeit for every such offence a sum

Penalties for manufacturing without license.

not exceeding one thousand Rupees, and all Salt so manufactured shall be liable to confiscation.

V. Every person who, having received a license to manufacture Salt, shall violate any of the conditions of such license, shall forfeit for every such offence a sum not exceeding five hundred Rupees, and such license may be withdrawn, and all Salt belonging to such person may be confiscated. Every person aiding and abetting the violation of any condition of a license shall forfeit for every such offence a sum not exceeding one hundred Rupees.

Penalty for breach of license.

VI. The owner of any pan or place for manufacturing Sea-Salt existing at the time of the introduction of this Act, shall be entitled to a license although such pan or place may not then be in use, unless he shall have allowed the same to remain unworked for three consecutive seasons before that time. The Collector may withdraw any license granted under this Section, if the pan or place of manufacture shall remain unworked for three years from the date of such license.

Licensing of places of manufacture now existing.

VII. The Collectors under orders from the Board of Revenue may withdraw the license of any Salt work which, on an average of three consecutive seasons, shall not have produced yearly five thousand Indian maunds of Salt, and may refuse to grant a license.

Collector may suppress Salt works.

VIII. All Salt made under a license granted by the Collector shall be stored in some place, selected from time to time by the Collector or other duly authorized Officer, as near as may be convenient to the place of manufacture.

Place of storing Salt.

IX. Any person who shall remove or attempt to remove any Salt from the place of manufacture to any place other than the place selected by the Collector for the storing of such Salt, shall forfeit for every such offence a sum not exceeding five hundred Rupees, and all such Salt so removed shall be liable to confiscation.

Penalty for clandestinely removing Salt from place of manufacture.

X. The Collector shall station at each Salt work one or more Officers for the due supervision of the manufacture, production, store, and sale of Salt, and the collection of the excise duty; and such Officers shall have free passage over such works at all times.

Officer to exercise supervision.

XI. An excise duty of per Indian maund shall be levied on all Salt manufactured in the territories subject to the Government of Fort St. George. No Salt shall be removed from any place where it may be stored as provided in Section VIII of this Act, upon which the aforesaid duty has not been paid or for the duty chargeable on which a bond has not been executed as hereinafter provided.

Excise duty.

XII. Whenever Salt is removed after it has been weighed and the duty has been paid thereon, the person to whom it may be delivered shall receive a permit authorizing its removal from the store, and such permit shall specify the quantity to be removed and the amount of excise duty levied thereon.

Permit for removal to be given.

XIII. Around each Salt work and store, preventive stations shall be established by the Collector at which the permit hereinbefore mentioned shall be delivered up, and the Salt, if agreeing with the entry in such permit, shall be allowed to pass, after which it shall not be liable to any further interference on the part of the Government Officers.

Preventive stations to be established.

XIV. Salt manufactured at pans within the District of the Collector of Madras shall not be removed from the place of manufacture without a permit; and every person found within two miles of such pans in possession of Salt in excess of one Indian maund without a permit, such Salt not being in an authorized store, shall forfeit for every such offence a sum not exceeding five hundred Rupees, and all such Salt so found shall be liable to confiscation together with the vehicles, boats, animals, and packages employed in its conveyance.

Salt manufactured in the Collectorate of Madras.

XV. The Governor in Council may prescribe by public notice in the Official Gazette by what roads Salt, the produce of any

Salt imported by land.

Foreign Country or Native State, when imported by land, shall be allowed to pass into the territories subject to the Government of Fort Saint George. Such Salt shall be charged a duty of Customs of per Indian maund leviable on the Frontier; and on such payment being made, a certificate shall be granted stating the quantity of Salt passed and the Customs duty levied.

Salt imported by Sea.

XVI. The Governor in Council may prescribe by public notice in the Official Gazette at what Ports Salt may be imported into the territories subject to the Government of Fort St. George. A duty of per Indian maund shall be collected on all Salt so imported; and on such duty being paid, a certificate shall be granted as provided in the preceding Section.

Penalties for breach of Act.

XVII. Any person who shall remove any Salt without the permit hereinbefore prescribed, or who shall import Salt by land or by Sea, by any route or by any Port not sanctioned for that purpose, or who shall convey any Salt so imported without the certificate hereinbefore prescribed, or who shall attempt to commit any of the above acts, or who shall aid any person in such commission or attempt, shall forfeit a sum not exceeding one thousand Rupees, and such Salt shall be liable to confiscation together with the vehicles, boats, animals, and packages employed in its conveyance.

Granting time for payment of duty.

XVIII. It shall be lawful for the Governor in Council from time to time by public

notification to authorize Officers concerned in the collection of the Salt Revenue to grant time for the payment of duty on such conditions and under such circumstances as may be declared, and every person to whom such time is allowed shall enter into a bond conditioned for double the amount of the duty ultimately payable, and with or without sureties at the discretion of the Officer accepting the same, and such bond may be in the form given in Schedule A of this Act.

Drawback of duty on exportation.

XIX. A drawback of the duty paid as above on Salt manufactured within the Presidency of Fort Saint George, and exported by Sea to any Port not subject to the said Presidency, may, with the sanction of the Governor in Council to be from time to time notified in the Official Gazette, be allowed at the Port of exportation. Provided always that the party so exporting such Salt shall enter into a bond conditioned for double the amount of the duty so returned or remitted, and with or without sureties at the discretion of the Officer accepting the same, and such bond may be in the form given in Schedule B of this Act.

Proviso.

Recovery of arrears due on bond.

XX. Any sum which may remain due to Government upon the settlement of a bond executed according to the provisions of this Act may be recovered by any process which is or may be in force for the recovery of arrears of revenue, or by suit on the bond in any Court of competent jurisdiction.

XXI. Every person who shall obstruct or resist any Officer in the due execution of this Act, or of any Rules prescribed under the authority thereof, shall on conviction by a Magistrate forfeit for such offence a sum not exceeding five hundred Rupees.

Obstructing Salt Officer.

XXII. All Police Officers are required to aid the Salt Officers in the due execution of this Act upon notice given or request made by such Salt Officer, and any Police Officer who without lawful excuse shall neglect or refuse to aid as aforesaid, shall on conviction by a Magistrate forfeit for such offence a sum not exceeding five hundred Rupees.

Penalty for Police Officers refusing to aid in execution of Act.

XXIII. Any Salt Officer who shall ask or take any unauthorized gratuity in consideration of doing or omitting to do any act in his official capacity, or shall practise or attempt to practise any fraud which shall injuriously affect the Salt Revenue, or shall abet or connive at any such fraud, or at any attempt to practise any such fraud, shall on conviction by a Magistrate forfeit for such offence a sum not exceeding five hundred Rupees.

Unlawful acts of Salt Officers.

XXIV. All forfeitures and confiscations under this Act shall be adjudged by the Collector subject to an appeal to the Board of Revenue if made within two months.

Power of confiscation.

XXV. Any Officer deciding any case under the provisions of this Act may at his discretion award the whole or any part of any fine that may be levied, or of the proceeds of any property that may be confiscated under the provisions of this Act, to the party who seized the property or who gave the information which led to the seizure of such property, or which led to any conviction under this Act; provided always that no money shall be paid over to such party during the time allowed for appeal, or pending appeal when any shall have been made.

Grant of fines to informers.

Proviso.

XXVI. The excise duty hereby levied upon Salt shall be Revenue within the meaning of the Act of Parliament 21 Geo. III c. 70; and the Supreme Court of Judicature established by Royal Charter at Madras shall not have any Civil Jurisdiction concerning the said duty, or concerning any thing ordered or done in the collection thereof.

Excise duty to be deemed Revenue.

XXVII. This Act shall take effect in such Districts as the Governor in Council shall appoint by notification in the Official Gazette.

Scope of Act.

SCHEDULE A.

I. A. (*or we A. B. and C.*) acknowledge myself (*or ourselves*) to be bound to pay to the Collector of the sum of Rupees (*double the amount of duty*),

but the condition of the bond is that if I (*or we*) pay the sum of Rupees the amount of duty with interest at twelve per centum from *(the date fixed for payment)* and costs of enforcing payment, then this bond shall be null and void.

Witness my (*our*) hand

A.

B.

C.

SCHEDULE B.

I. A. (*or we A. B. and C.*) acknowledge myself (*or ourselves*) to be bound to pay to the Collector of the sum of Rupees (*double the amount of duty remitted or returned*), but the condition of this bond is that if I A. (*or we A. B. and C.*) do export maunds of salt from the Port of on or before the day of 18 , or do repay Rupees *(the amount of duty remitted or returned)* with interest at twelve per centum from (*the day of executing the bond),* then this bond shall be null and void.

Witness my (*our*) hand.

A

B.

C.

Legislative Council of India.

Excise on Salt.

(MADRAS PRESIDENCY.)

A

BILL

TO

Establish a Duty of Excise on Salt manufactured in the Presidency of Fort St. George.

P 1411/59

(*Prepared and brought in by Mr. Forbes*).
READ A FIRST TIME ON THE 2ND JULY 1859.

Price 6 Annas.

PRINTED AT SCOTT AND CO.'S PRESS.

Rec'd 2 Sept

No. 1062.

To

H. Forbes Esqr

Member of the Legislative Council

Sir,

I have the honor to acknowledge your letter of the 18th ultimo transmitting copy of a Bill for levying a duty of excise on salt manufactured in this Presidency, which has been read a second time in the Legislative Council.

2 In reply I am directed to call your attention to my letter of the 16th July 1859, acquainting you that for reasons stated, this Government think it inexpedient at present to

exchange the existing salt
monopoly for an excise duty
on the manufacture, and
to request therefore that
you will not proceed with
the present Bill.

Fort St. Geo. 6th August 1859

& Copies to Bds of Rev.
with the former letter
Dispt 8

Cons. 22d July 59
15-16-3

Revenue 1859 Dept.
Rec. of Govt 12th Augt.

No 1062.

To the Member of the
Legislative Council for the
Madras Presidency.
Dy 6th Aug. 59.

Request that the Bill
for levying an excise duty
on Salt manufactured at
Madras be not proceeded
with -

No 15 & 16-