

Revenue Department

Minutes of Resolutions

31st May 1859

Book No 3 + 4

Order No 721 27 28th May 1859

*Proceedings of the Madras Government, Revenue Department,
from 28th to 31st May 1859.*

No. 3. Read the following letter from J. D. SIM, Esq., Secretary to the Board of Revenue ;
to J. D. BOURDILLON, Esq., Secretary to Government Revenue Department, Fort
Saint George ; dated 12th May 1859, No. 1715.

With reference to para. 3 of Extract Minutes Consultation 28th Ultimo, R. D. No. 582
requiring further information as to the mode in which the Board proposed to calculate the com-
pensation to be granted to the keeper of a Liquor Shop in consideration of its being closed du-
ring the passage of European Troops.

2. I am directed to state that the Board intended that compensation should be granted
only to the extent of the average daily *profits* of the Shop, calculated on the basis of the average
daily sales effected at it.

3. The 10 per cent. over and above this sum was meant to cover the additional profits ac-
cruing from sales to camp followers.

4. Although all Abkarry renters are specially restrained from selling liquor to European
Soldiers the prohibition does not extend to the followers of a camp who are often numerous.
A Shopkeeper might urge that the closing of his shop against all customers was a breach of agree-
ment and that he was thereby deprived both of his ordinary custom and of the extraordinary
profits which he might have made on that particular occasion. The circumstance of the compen-
sation being granted for *profits* only would throw out of consideration the fact of his still having
his liquor for future sale, and if a seller of toddy, he would probably assert that his supply had
been spoilt by keeping.

5. It was a consideration of these circumstances and a desire to avoid all colourable pretext
for complaint that induced the Board to recommend more liberal terms than they would other-
wise have thought necessary.

6. In deference to the opinion of Government they have in the amended draft of Rule 3
which is subjoined omitted the 10 per cent. additional compensation.

AMENDED DRAFT.

3. The Tahsildars shall ascertain from the License, Cowle or accounts of the Shopkeeper
or in such other manner as may be practicable the average daily sales at the shop for ten days
before and after its closure, and shall calculate from them the average net daily profits of the
shop. Compensation shall then be granted to the

* *Note.*—If Government consider this
still too liberal the rates of the com-
pensation can here be entered.

extent * of those profits for the time during which the
shop was closed. If the shopkeeper be dissatisfied with
the amount awarded by the Tahsildar, he may appeal to
the Collector.

(Signed) J. D. SIM, Secretary.

No. 4. ORDER THEREON, 28th May 1859, No. 721.

The Governor in Council does not object to the addition of 10 per cent. to the average
profits of the dealers; he objected only to the plan of reckoning the whole amount of their sales
as profit, which is now explained not to have been the Board's meaning. In place of leaving it
to the Tahsildars to calculate the profits from the sales, it seems better to assume a certain fixed
proportion of the sales as profit, and one fifth may be taken as that proportion.

2. Rule 3 thus modified will be as follows :

"The Tahsildars shall ascertain from the License, Cowle, or accounts, of the shopkeeper, or
in such other manner as may be practicable, the average daily sales at the shop for ten days be-
fore and after its closure, and one fifth of the amount of the daily sales so ascertained shall be
taken as the daily profits. The compensation to be paid for the closing of the shop shall consist
of the profits so ascertained, with the addition of 10 per cent."

3. With this modification the Government approve and sanction for introduction into this
Presidency, the rules promulgated in the North West Provinces for preventing the sale of

meaning

*Proceedings of the Madras Government, Revenue Department,
from 28th to 31st May 1859.*

liquor to European Troops on the march; and they request that the Board of Revenue will by a Circular communicate the same for the guidance of the Revenue officers, forwarding one copy for publication in the official Gazette.

Ordered that a copy of this resolution be forwarded to the Military Department, with reference to an Extract Minutes Consultation in that Department dated 8th March 1859.

(Signed) J. D. BOURDILLON,
Secretary to Government.

721

Rev. Depart^{ts}

N^o 721

*Proceedings of the Madras Government
Under date the 28th May, 1859.*

*Read the follow-
ing letter from the Sec-
-etary to the Board of
Revenue.*

*Therenter 12 May 1859
N^o 1715*

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"The Tahsildars shall ascertain from the License, Book, or Accounts, of the shopkeeper, in such other manner as may be practicable, the average daily sales at the shop for ten days before and after its closure, and one fifth of the amount of the daily sales so ascertained shall be taken as

as the daily profits. The compensation to be paid for the closing of the shop shall consist of the profits so ascertained, with the addition of 10 per cent."

3. With this modification the Government approve and sanction ^{for} the introduction into this Presidency, of the Rules promulgated in the North West Provinces for preventing the sale of liquor to European Troops on the march, and they request that the Board of Revenue will by a Circular communicate the same for the guidance of the Revenue Officers forwarding

one

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in the Official Gazette.

Ordered that a
copy of this resolution be
forwarded to the Military
Department with reference
to an Extract Minutes
Consultation in that
Department dated 8th
March 1859.

[Signature]

3 Copies to the Secy of War Feb 30
1 — " Military Department

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Revenue 1859-20/10
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Ph. of the Madras Govt.
27th May 1859.

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of the specific of Underpro-
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2. and 3. and in the 1st order
of process for the preceding order
of process to Europe and Japan and
other countries mentioned. The
same to be circulated to the
Officers and published with the
Official Gazette. This Decree
is forwarded to the
Military Department.

No 344.

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