M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2471	Press ~~Mis.~~
369-370	
Dated 21—12— 1860.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
21st December 1860.

No. 369. Read the following letter from B. RÁMASWÁMI, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Waltair, 23rd October 1860:—

SIR,

1. With reference to the Proceedings of the Board of Revenue, dated 28th August 1860, No. 3,923, I am induced to lay the whole of my case before the Government of Madras in appeal from the Revenue Board's decision, and beg you will be so kind as to submit the same for its decision at your convenience.

2. I beg to enclose the correspondence that has taken place on the subject as noted in the margin, and from the order No. 2,162, dated Fort William, Home Department 1st October 1860, it will be perceived that the original documents have been forwarded to the Madras Government on the 30th June 1860, and from which I trust Her Majesty's Government will be able to take a clear view of my case.

1. *Order from Under Secretary to the Government of India.*
2. *B. Rámaswámi's Petition to the Secretary to the Government of India in the Revenue Department.*
3. *Proceedings from the Board of Revenue through the Collector of Vizagapatam.*
4. *B. Rámaswámi's Petition to the Board of Revenue.*
5. *Extract from the Proceedings of the Board of Revenue from the Collector.*

No. 370. ORDER THEREON, 21st December 1860, No. 2,471.

The Madras Government cannot interfere in a case of this nature. If B. Rámaswámi is dissatisfied with the order of the Board of Revenue, he should under the provisions of Section 3, Act X of 1860, appeal to the Government of India in the Revenue Department, and to enable him to do this, the original enclosures to his petition to the Government of India dated 21st June last are returned to him.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

proper ... endorsement telling him that the

B. Ramaswami is a merchant in the Vizagapatam District. He got some goods from England upon which in his opinion an excessive duty was levied at Vizagapatam. The Collector of Vizag refused to make a refund. and petitioner then appealed to the Board of Revenue

for to interfere perhaps. this is not sufficiently clear which

A Copy of the Board's Circular from the Collector, which circular was issued at the time when it was thought that an appeal on such matters lay direct to Calcutta from the decision of the local authority. Petitioner then (21 June 1800) addressed the Govt of Madras who returned the Petition & its enclosures

* 30 June/00

to the Madras Govt for transmission to the Bd of Revenue with reference to para 2 of the letter from G. of F. of 23 June 1800. No 1318, by which it had been directed that the Revenue Bd shd decide such matters in the first instance, the appeal lying to the G. of F. from such decision. The Board then on two separate occasions decided the matter against Petitioner, who then applied to the Supreme Govt for the enclosures to his first petition of the 21 June to enable him to appeal to the Madras Govt (as he thought the proper course). To this he received an endorsement telling him that the

enclosures in question had already been forwarded to the Madras Govt., and upon the receipt of that endorsement be addressed to the Madras Govt the letter on which the present order of 21 Dec. No. 2471 was passed

CJM. Dec. 26.

Walair
21st June 1860.

To
The Secretary to the Government of India
in the Revenue Department
Calcutta

Sir,

With reference to the enclosed endorsement by the Collector Vizagapatam on my Petition to recover a portion of Customs duty paid by me on goods consigned from England and cleared at the Port of Bimlipatam - I do myself the honor to beg that you will kindly take my case into your consideration and enclose the undermentioned document in support of my claim.

For which act of Kindness
I shall ever pray -
Your Obed.t Servant
A Rainadawmy

1 - Endorsement "memo" from the Collector.
1 - Boards Circular Order No. 2896.
1 - Invoice for Sundries Shipped per "Earl of Hardwicke"
1 - Telegr. Letter from the Shanadar of Bimlipatam
1 - Petition to the Collector of Vizagapatam

No 5 to 9.)

Copy

No 3,382.

Extract from the Proceedings of the Board of Revenue dated 24th July 1860.

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V No 2011. From Colls. of Vizagapatam 25th April in Cons 2nd May 1860 No 464

V. Act VII of 1859 was passed on the 14th March 1859, and the Goods referred to were landed in July 1859; they could not therefore have been assessed to the old rates of duty prior to the passing of Act VII of 1859, and the order of the Supreme Government dated 21st June 1859 is consequently in applicable. The Collector should draw the Importers attention to Section IV of Act VII of 1859.

In Boards Cir. 25 July 1859 No 2896

(True Extract)
Signed/ J. D. Sim
Secretary

Vizagapatam Coll's Office 9th August 1860

(True Extract)
Signed/ E. Jane
Collector

Signed/ J. B. McMurray
Sher

To B. Ramasaumy
Wallair

For his information with reference to his No 1360 of

Comp. J.G.

No 1360

Forwarded to the Collector of Customs, with reference to the Board's Proceedings in Cons: 2 of the 23rd instant.

Board's Office
24th June 1860

W. Grame
Secretary to the Board of Revenue

Received 25th June 1860
Recorded
Entered

Returned to Town with the Collector's letter of the 9th instant, and the Proceedings of the Board of Revenue in Cons: 2 of the 23rd instant.

Signed/ J. B. McMurray
Sher

To B. Ramasaumy
Wallair

For his information with reference to his No 1360 of

Comp. J.G.

R 2440/60.

Waltair
Copy 13th August 1860.

To

The Secretary to the Board of Revenue
Fort Saint George

Sir.

With reference to my Petition to the Collector of Vizagapatam and the Endorsement thereon with it's enclosures forwarded by me to the Secy to Government of India in the Revenue Department on the 21st June 1860. I have now the honor with reference to the enclosed Extract from the Proceedings of the Board of Revenue dated 24th July 1860. to request to be favored with an explanation why my case is not applicable to the order of the Supreme Government published in the Board's Circular 25th July 1859 No 2,896.

My Goods referred to were certainly not received till July 1860. but they were ordered as far back as December 1858. and were shipped for India prior to the passing of Act VII of 1859. as the Invoice of the Goods that accompanied my Petition will fully show-

My attention is called to section IX of Act VII of 1859. My case doubtless comes under the section alluded to as the Goods were Contracted for and agreements made prior to the operation of the said Act. I beg to state however that it was not possible for me although a Retail Shopkeeper to take advantage of the rule there laid down as I had already disposed of a great quantity of those goods before I had received them and before the passing of the Act VII of 1859 and when I made the agreement for the aforesaid disposal of the Goods. I had no idea that a new Customs Act was about to be passed and thereby those Goods subjected to an additional impost I was unable to add to the price of the Goods and the additional Duty therefore paid on them is a positive loss- Under these Circumstances I beg that this case may again be Considered

and

1860.

and sincerely trust it may be in your honorable Boards power to relieve me from a very pressing and serious loss.

The Petition and other documents forwarded to the Secy to Government of India in the Revenue Department have not been returned to me.

I beg to remain
Sir
Your most Obed.t Serv.t
(Signed) B. Ramasawmy
Shop Keeper

Rec.d 24/10/60.

7

Copy

No. 3,923.

Proceedings of the Board of Revenue, dated 28th Augt 1860.

Read the following letter from E. G. R. Fane, Esq., Collector of Vizagapatam, to J. D. Sim, Esq., Secretary to the Board of Revenue, Fort St. George; dated 14th August 1860,

No. 830:-

Accompanying, I beg to submit a Petition* with enclosure from B. Ramasawmy soliciting a reconsideration of his claim to a refund of the duty paid by him in excess

*Dated 13th Augt.

Enclosure No. 1. Petition

The Board see no reason to alter their decision in this matter. Petitioner can appeal if so disposed.

(A true Copy and Extract)
(Signed) J. D. Sim
Secretary.

To
E. G. R. Fane Esquire Collector of Vizagapatam, with Petition
Encd. J. Wright

(Signed) E. Fane
Collector

To
B. Ramasawmy
Waltair

For his information
Br. Macmurray
Esqr

Copy

Waltair
20th September 1860.

To
The Secretary to the Government
of India in the Revenue Deptt
Calcutta

Sir

With reference to my Petetion dated 21st June 1860 to the address of the Secy to Govt of India on the subject of Customs Duty- I beg you will be kind enough to return me the enclosures that accompanied my Petetion. Vizt. one Invoice of Goods from Arbuthnot Latham & Co London/ original Letter from the Tanadar of Bimlipatam &c- they being in original and having taken no copy of them.

I beg you will excuse the trouble but having again submitted my claim to the Revenue Board at Madras they have declined to alter their former opinion but states that I am at liberty to appeal to the Madras Govt which I intend doing on receipt of the papers from you-

I beg to remain
Sir
Your most Obedt Servt
(Signed) B. Ramasawmy
Shop Keeper

D 2440/60.

Vellore
23rd October 1860

To J Piggott
The Chief Secretary to Government
Fort St George

Sir

With reference to the Proceedings of the Board of Revenue dated 9th August 1860 No 3923. I am induced to lay the whole of the my case before the Government of Madras in appeal from the Revenue Boards decision and beg you will be so kind as to submit the same for its decision at your convenience

2. I beg to enclose the Correspondence that has taken place on the subject as noted in the Margin and from the order No 2162 dated Fort William Home Department 1st October 1860. it will be perceived that the original documents have been forwarded to the Madras Government on the 30th September 1860. and from which I trust Her Majesty Government will be able to take a clear view of my case -

I beg to remain
Sir
Your most Obedt Servt
S Ramaswamy

1. Order from under Secy to the Govt of India
2. S. Ramaswamy's Petition to the Secy to the Govt of India in the Revenue Deptt
3. Proceedings from the Board of Revenue from the Collector of Vizagapatam
4. S. Ramaswamy's Petition to the Board of Revenue
5. Extract from the Proceedings of the Board of Revenue from the Collector

D

The Board of Revenue will be requested to report on this claim.

No 2471. 21st December 1870.

Rec'd 30th Sept. 1870.

Rec'd 31st October 1870.

Rules 25 & Oct. 1870.

Application from the Revenue Board for decision in the above claim & a reference of the Papers connected therewith.

No 2471.

The Madras Government cannot interfere in a case of this nature. If B. Ramaswámi is dissatisfied with the order of the Board of Revenue, he should under the provisions of Sec 3, Act X of 1869, appeal to the Govt of India in the Revenue Department, and to enable him to do this, the original enclosures to his petition to the Govt of India dated 21 June last are returned to him.

Fd & Sent 29 Dec 1870 to Chr by B. Ramaswámi with Rules

Rec'd 22 Dec 1870 C. J. Waddell

Rec'd 13 Dec 1870