M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1588-89 Press Mis.

327. 328

Dated 20-7-1862

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 21th July 1862.

No. 327. Read the following Proceedings of the Board of Revenue, dated 30th May 1862, No. 3,496:—

Read the following letter from C. J. SHUBRICK, Esq., Collector of Sea Customs, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated 26th May 1862, No. 308.

SIR,

1. I have had the honor of receiving the Board's Order of the 23rd instant, No. 3,342, giving cover to Proceedings of Government No. 264 of the 19th idem, Financial Railway Department, seeking information regarding the practice of taxing firewood imported for the use of the Railway.

2. In reply, I have the honor to state that no importations of firewood for the purposes of the Madras Railway have been effected at Madras, but that if such importations were to take place, they would be clearly liable to an import duty of 10 per cent. under Act XI of 1862.

3. That Act specially exempts coal and coke, but makes no allusion to firewood, which consequently becomes liable to duty as "an unenumerated article."

4. Coal and coke are not productions of Southern India, and consequently do not come in competition with the produce of any native mines. I am not aware whether such produce is locally taxed in Bengal, or on the banks of the Nerbudda in Bombay, but whether so or not the freight payable on British coal may fairly be held to be equivalent to, if not to exceed any such local tax. The admission of coal and coke free of duty would therefore seem to be just and politic.

5. There seems to be no such necessity for the free admission of firewood from foreign ports. Firewood is taxed in our jungles, and ought in consequence to be met with an equivalent tax when imported from abroad. It cannot like coal or coke be said to be necessary to the Railway, and is at the best only a make-shift, consequently no special exemption in favor of the Railway seems to be desirable.

6. Should the Board however think that the free importation of firewood would not prove of injury to the owners or renters of our jungles, I see no objection to its free admission without restriction to Railway purposes, and would recommend them to move the Government to declare it exempt from duty under Section 17, Act VI of 1844.

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1. Ordered to be submitted to Government with reference to their Proceedings, dated 22nd May 1862, No. 1,136, Revenue Department, and with the Board's recommendation that, as suggested by Mr. Shubrick, the free importation of firewood be allowed by Government under the authority vested in them by Section 17, Act VI of 1844.

2. Mr. Shubrick's line of argument proceeds upon the erroneous principle that Customs duties are primarily intended for protective purposes, instead of for purposes of revenue, and he altogether misunderstands the object of the seignorage levied on fuel cut for sale from the Government jungles, which was never intended to be a source of revenue, but was demanded as a recognition of Government right, and in the hope of checking or bringing under Regulation the consumption of wood, which endangers the sufficiency of the rain-fall.

3. The importation of firewood from Ceylon would aid in attaining this most important object, by limiting the demand on our own jungles, and there are no private rights that can be injured by the concession now recommended.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 328. ORDER THEREON, 24th July 1862, No. 1,588.

1. Mr. Betts, the Agent of the Southern of India Railway, complains that an Import duty of 10 per cent. has been levied on firewood imported from Ceylon for the use of his engines. Coal and coke are free, but firewood, not being mentioned in the Schedule of Act XI of 1862, is taxed as an unenumerated article.

2. This course is quite correct, but the Governor in Council is of opinion that it would be good policy to exempt firewood from duty. The revenue realized by its taxation is very trifling,* and though the importation of foreign wood might perhaps somewhat diminish the conservancy receipts, the reduction could not be of any importance.

	Rs.	A.	P.
* In 1859-60	18	0	0
„ 1860-61	17	4	0
„ 1861-62	79	4	8

3. On the other hand it would be a boon to the public generally, and the Railway Company in particular, to remit this unproductive duty, for the price of firewood has risen greatly of late years and the jungles are fast disappearing.

4. The course proposed by the Board of Revenue cannot be followed, for under Section 17, Act VI of 1844, this Government can only remit the duty on particular consignments, but cannot declare any article to be generally exempt. His Excellency in Council therefore determines to move the Government of India to allow the importation of firewood without payment of duty.

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

Ordered that the following letter be despatched.

No. 329. From A. J. ARBUTHNOT, Esq., Acting Chief Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, dated 24th July 1862, No. 1,589.

Procs. of Government, Financial Railway Department, 19th May 1862, No. 264.
Do. Revenue Department, 22nd May 1862, No. 1,136.
do. Board of Revenue 30th „ „ „ 3,496
do. of Govt. Rev. Dept. 24th July „ „ „ 1,588.

SIR,

1. I am directed to forward, for submission to the Government of India, the papers noted in the margin, relative to a complaint made by the Agent of the Great Southern of India Railway, respecting the levy of an Import duty of 10 per cent. on firewood imported from Ceylon for the use of his engines.

2. Coal and coke are free, but firewood not being mentioned in the Schedule of Act XI of 1862 is taxed as an unenumerated article.

3. The Government, I am directed to state, are of opinion that it would be good policy to exempt firewood from duty. The revenue realized by its taxation, as shown in the margin,* is very trifling; and though the importation of foreign wood might perhaps somewhat diminish the conservancy receipts, the reduction could not be of any importance.

	Rs.	A.	P.
* In 1859-60	18	0	0
„ 1860-61	17	4	0
„ 1861-62	79	4	8

4. On the other hand, it would be a boon to the public generally, and the Railway Company in particular, to remit this unproductive duty, for the price of firewood has risen greatly of late years, and the jungles are fast disappearing.

5. Under these circumstances, I am directed to request that the Government of India will be pleased to declare firewood to be an article exempt from import duty.

for sale from the Government jungles, which was never intended to be a source of revenue, but was demanded as a recognition of Government right, and in the hope of checking or bringing under regulation the consumption of wood which endangers the sufficiency of the rain fall.

3 The importation of Firewood from Ceylon would aid in attaining this most important object, by limiting the demand on our own jungles, and there are no private right that can be injured by the concession now recommended.

/ Attested by Extract /

Secretary

To J. D. Sim Esqr.
Secretary to Government
Revenue Department.

/ True Copy /
Secretary to Government

Pro. 22d May/62
No. 417-418

Rec. 1862 Vol. [illegible]
Pro. of Govt for Dec. 1866.
Proceedings of the Board of Revenue.

Dated 30th
Rec'd 31st } May 1862.
Read 2d June

No. 3496.

Minute from Colle of Sea Customs
of 2 June/62 C.R. 1621.
Ord. No. 1588-24th July
Submitting letter from the
Collector of Sea Customs furn-
-ishing information regard-
-ing the practice of taxing fire-
-wood imported for the use of
Railway with the Board's re-
-marks thereon and recommend-
-ation that free importation of
firewood be allowed by Go-
-vernment as suggested by
Mr Shubrick.

No. 327.

Read 14 June 1862

Price of fire work has risen largely of late years and its pinches are fast disappearing. The revenue derived by imports is very trifling - Rs 80 in 1867/2 & less than Rs 20 in the two preceding years. The importation of foreign work would lessen somewhat & reduce our Customs receipts. But I doubt if the reduction would be great. It would be a great advantage to the public & the Railway Co. to remit this unprohibitive duty.

The cause &c.
Mark & the Bd

of Govt cannot be pld. Court. The pt of India have ruled that under Sect 19 Act VI of 1844 Govt can only exempt particular consignments. i.e. they can remit the duty on ~~the Emperor Star~~ Mr Betts cargo but cannot declare fireworks generally Exempt. The Author's case is hardly & the pt of India to Exempt fire-work generally.

Orders requested:

L P L

Proceedings of the Madras Govt under date the 26th July 1862

No 1588

Bd Rec.

3 Bec 62.

33 Aug, 62 - No 3496

Read Letter

Mr Betts, the Agent of the Southern of India Railway Company states that an Import duty of 10 per cent has been levied on Firewood imported from Ceylon for the use of this Engine. Coal & Coke are free, but Firewood not being mentioned in Act 1862 the Schedule of the Act is considered taxed as an enumerated article.

This Course is quite correct but the Governor in Council is of opinion that it would be good policy to exempt firewood from duty. The income realised by its taxation is very trifling, and though the importation of foreign wood might perhaps diminish the Conservancy receipts, the reduction could not be of any importance.

1859-60	18	" "
1860-61	17	4 "
1861-62	77	4 8

C to Dpne

2 On the other hand it would be a ~~great boon~~ ~~advantage~~ to the Public generally, & the Railway Company in particular, to remit this unproductive duty, for the price of firewood has risen ~~enormously~~ greatly of late years and the jungles are fast disappearing.

4 The course proposed by the Board of Revenue cannot be followed for under Sect. 17, Act 7 of 1844 this Govt can only remit the duty on particular consignments but cannot declare ~~any article of firewood~~ generally exempt. H. E. in C. therefore determines to move the Govt of India to allow the importation of firewood without payment of duty.

14 Copies to Offg Bd of Rev Dept 25/
5 — Civil Railway Dept /

B.

Lace for firewood imported for use of Railway.—

Revenue 1862 Department.
Pro: of Govt for July.

N: 1588.

Pro: of the Madras Govt
Dd 24th July 1862.

Requesting Supreme Government to declare firewood to be an article exempt from import duty.

N 327 & 328.

With Letter from Govt of Mr:
24th July/62 N 1589.

From the Govt of Mr: 9th Augt/62
& N. 2481 in Pro: 12th Sept/62 N 1963.

5 Chests
Desd 25th

Pro of Govt Jud. Railway Dept.
19 May 1862 No 264.
Do Rev Dept 22d Do " 1136.
Progs Bd of Rev. 30 Do " 3496.
Progs of Govt Rev Dpt. July 1862 No.

N 1589.

To

The Secretary to the Govt of India.

Sir,

I am directed to forward, for submission to the Govt of India, the papers noted in the margin relative to a complaint made by ~~the Directors~~ the Agent of the Great Southern of Indian Railway respecting the levy of an import duty of 10 per cent on Firewood imported from Ceylon for the use of his Engines.

2. Coal and Coke are free, but Firewood not being mentioned in the Schedule of Act XI of 1862 is stated as an unenumerated article.

3. The Govt, I am directed to state, are of opinion that it would be good policy to exempt fuel from duty. The revenue realized by its taxation, as shown in the margin, is very trifling; and though the importation

	£	s	d
In 1859/60 —	10	—	—
1860/61 —	17	4	—
1861/62 —	19	4	8

importation of foreign wood might perhaps somewhat diminish the Conservancy receipts, the production could not be of such importance.

4. On the other hand, it would be a boon to the Public generally and the Railway Companies in particular, to remove this importation duty, for the price of fire-wood has risen greatly of late years, and the jungle are fast disappearing.

5. Under these circumstances I am directed to request that the Govt of India will be pleased to declare firewood to be an article (importation of which is exempt from Import duty) without payment of duty.

Fort St George
24th July 92

Revenue 1862 Deptt.
Pro: of Govt. for July.

No. 1589.

To
The Secretary to the
Government of India.
Dt 24th July 1862.

Under circumstances represented requesting Government of India to declare Firewood to be an article accempt from import duty.

No 329.

In Copy Sir Dr
Inspector Genl of Timber