

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. *405-A* Press
Mis.

171 A-171-B

Dated *13* - *5* - *1980*

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
13th May 1870.*

No. 171A. Read the following Proceedings of the Board of Revenue, dated 12th May 1870 :—

Read the following letter from the Collector of Sea Customs, Madras, to the Acting Secretary to the Board of Revenue, dated 9th May 1870, No. 365.

PENDING the result of an appeal now before the High Court as to the legality of a recent seizure* of Opium, and a further representation on the subject generally, I have the honour to request the Board will be good enough to address Government with a view to the necessary Notification being published under Section 23, Act VI. of 1863, prohibiting the export of Opium.

2. The question as to the importation of Opium should also be settled. If the Import-duty† leviable under Schedule A., Act VI. of 1844, cannot legally be enforced, Opium on importation is free; this error should also be remedied if possible.

Advocate-General's opinion, paragraph 9, in Board's Proceedings, No. 1,775, 15th March 1870.
† 24 Rupees per Seer of 80 Tolas.
3. As the Governor-General only can issue the Notification under Section 23 of Act VI. of 1844, I would respectfully suggest a communication, by telegram, being made.

4. It is absolutely necessary that early steps should be taken in this matter, as it is already known that Opium may be exported free. This is clear from an advertisement in the *Madras Standard*, of which copy‡ is sent.

SUBMITTED for the orders of Government.

2. In the present state of the law it seems to the Board most desirable that a Notification, prohibiting the export of Opium not covered by a Pass, should be issued under Section 23, Act VI. of 1863, by the Governor-General in Council.

3. As regards duties leviable on imported Opium the Board believe that the special reservation in Section 1, Act VIII. of 1868, leaves the law in this respect just as it was before. A similar point with regard to the duty on Salt has recently been referred to the Advocate-General by Government.

No. 171B. ORDER THEREON, 13th May 1870, No. 705A.

Separate Revenue, No. 8A.

Customs.

ORDERED accordingly that the Government of India be requested, by Telegraph, to issue the Notification proposed by the Board of Revenue.

Telegram to the Secretary to Government of India, Home Department, Simla.

“ ADVOCATE-GENERAL is of opinion that Act VIII. of 1868 has repealed the prohibition against the export of Opium in Schedule B. of Act VI. of 1844.

*Proceedings of the Madras Government, Revenue Department,
13th May 1870.*

" Please issue Notification at once under Section 23 of Customs Act (VI. of 1863),
" in order to prevent exports which are imminent at this Port."

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Ed. F. R. Dantleman.

3E

lv 1430 in order.

This paper is circulated
in continuation of the
Memo on the general
question. The Bd recom-
mend that application
be made by telegraph
to Govt of India requesting
that a notification may
be issued by the Govt
prohibiting the export of
opium - As the Advocate
General adheres to his
opinion that the
prohibition against the
export has been removed

Cost. of 1870; 37.10.15.

REVENUE.

To

THE BOARD OF REVENUE,

Nov 23, 1933.

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Exi

U. O. 1218 May 1879, No. 731A.

III.

Nos. 171A-171B.

Query.—Government of India requested to
Tadgaikh, to issue Notification prohibiting the
export.

it is submitted that
the telegram enclosed may
be despatched.

The Advocate General
has reported that, in
his opinion, the import
duty on salt as prescribed
in Schedule A of Act VI of 1844
is not repealed by Act VIII
of 1868, consequently the import
duty on opium (as per law)
prescribed in the same
Schedule, also remains
in force.

MD

In a separate paper
now in file.

Telegram

By A.
J. D. L.
N

Advocate General is of
opinion that Act VIII of
1868, has repealed the
prohibition against the
export of opium in Schedule
B of Act VI of 1844. Please
issue notification at once
under Section 23 of Customs
Act (VI of 1863) in order to
save prevent exports
to which are imminent
here at this port.

To Secy to Govt of India
Home Dep.
Simla.

MD

Prohibit. for
port of opium.

5E
Revenue Department
H. 705 A.

Proceedings of the Madras Government
Held on the 13th May 1870.

Read the following
Proceedings of the Board of
Revenue.

Submitted for order of
Collector from Commr. of Sea
Customs, suggesting that
a Notification be published
prohibiting export of
opium.

Ordered accord.

That the Government
of India be requested by
telegraph to issue the
notification proposed

by the Board of Re:
venue.

Telegram to the Secy.
to Government of
India, Home Dept. Simla.
Advocate General

"is of opinion that Act VIII
 "of 1868, has repealed the
 "prohibition against the
 "export of opium in Sec:
 "I of Act VI of 1844.
 "Please issue notifica-
 "tion at once, under Sec:
 "tion 23 of Customs Act
 "(VI of 1863) in order to
 "prevent exports, which
 "are imminent, at
 "this port"

11. Feb. 1868. D. J. O. 17/1868

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