

634

*Proceedings of the Madras Government, Revenue Department,
19th April 1872.*

No. 192. Read the following Proceedings of the Board of Revenue, dated 26th March 1872, No. 502 :—

Read again Board's Proceedings, dated 6th January 1872, No. 39.

Read also the following replies :—

From the Collector of Malabar,	dated 22nd January 1872, No. 15.
" " of Nilgiris,	" 22nd " " " 9.
" " of Tinnevely,	" 24th " " " 23.
" " of Tanjore,	" 25th " " " 23.
" " of Bellary,	" 26th February " " 47.
Tel. " " of South Canara,	" 7th March " " 51.
" " of Salem,	" 8th " " " 51.
Tel. " " of Godavery,	" 7th " " " 51.
" " of South Arcot,	" 7th " " " No. 56, and 12th March 1872, No. 87.
" " of North Arcot,	" 8th " " " 99.
" " of Chingleput,	" 8th " " " 231.
Tel. " " of Coimbatore,	" 9th " " " 66.
" " of Madura,	" 12th " " " 66.
Tel. " " of Cuddapah,	" 9th " " " 66.
Tel. " " of Kistna,	" 8th " " " 66.
" " of Kurnool,	" 11th " " " 66.
Tel. " " of Ganjam,	" 13th " " " 49.
" " of Trichinopoly,	" 29th February " " 28.
" " of Vizagapatam,	" 7th " " " 28.

From time to time during the currency of the present Abkarry leases which expire on the 30th June, the Board have received numerous representations both from Collectors and from Abkarry Renters to the effect that the Abkarry revenue is seriously affected by the novel permission to manufacture fermented liquor for domestic consumption without a license which is allowed by the law now in force.

2. In January the Board called for reports on the subject, and as the sales of most of the new leases will soon take place, Collectors have since been directed to telegraph their opinions.

3. From the replies received it appears that twelve* Collectors are of opinion

that the permission should be withdrawn either as having been abused or as being open to abuse. The Collector of Malabar, for instance, states that repeated complaints have been made by Abkarry Renters of the losses sustained in consequence of the latitude allowed in this respect. Houses are, as a rule, situated in detached cocoanut

gardens and parties are seen to assemble and drink; but unless money can be proved to have passed, no breach of the law can be proved.

* Ganjam.	North Arcot.
Vizagapatam.	South Arcot.
Godavery.	Trichinopoly.
Kistna.	Salem.
Nellore.	South Canara.
Chingleput.	Malabar.

4. The Collectors of eight† districts consider a withdrawal of the permission unnecessary, not because it is a boon to the people but because it is not taken advantage of in their districts.

† Cuddapah.	Madura.
Bellary.	Tinnevely.
Kurnool.	Coimbatore.
Tanjore.	Nilgiris.

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5. The Board have already notified that the unlicensed manufacture of fermented liquor for home consumption must cease in Nellore,* and they are now of opinion that the notification should be extended to all parts of the presidency except the border mountains of South Canara and the Agency tracts of Ganjam and Vizagapatam where the necessities of the hill tribes warrant special indulgence. They think it right, however, to submit their intention to Government before carrying it into effect.

* Government Order, dated 30th January 1872, No. 188.

No. 193. ORDER THEREON, 19th April 1872, No. 634.

Separate Revenue, No. 12.

Abkari.

Country Arrack, Toddy, and other fermented liquors, as well as the retail sale of foreign or country manufactured Spirits, Toddy, and other fermented liquors, under their own management on account of Government, or to rent out the privileges jointly or severally.

2. Madras Act III. of 1864 repeals Regulation I. of 1820 ; defines liquor as any intoxicating liquor, in the manufacture of which distillation or fermentation takes place ;

forbids the manufacture or sale or keeping for sale of any liquor of the above description, except in conformity with the provisions of the Act ; authorizes the retention or assigning on conditions of the exclusive privilege of manufacture and sale of such liquors on account of Government ;

and, in Section 28, provides that nothing in the Act shall be construed to restrict the home-manufacture of fermented liquor for *bona fide* domestic consumption, and not for sale : provided that it shall be competent for the Board of Revenue to declare such home-manufacture illegal in any district or town *unless duly licensed* under the Act.

3. The High Court have ruled that the exposure of sweet palm-juice, resulting in spontaneous fermentation, is a "manufacture" within the meaning of the Act.

4. The Board of Revenue now propose to exercise the power of prohibition vested in them in all parts of the Presidency, except the border mountains of South Canara, and the Agency tracts of Ganjam and Vizagapatam. The prohibition has been already notified in the Nellore District.

5. The Collectors of twelve districts advocate the withdrawal of the existing privilege, on the ground that it is abused, or is open to abuse to the detriment of the State-revenue. Those of the remaining eight districts state that the concession is, in their districts, a dead letter.

6. The Government cannot doubt that the concession, so far as it has been operative, has probably been abused for purposes of illicit sale and to the detriment of the State-revenue, and that it must have encouraged the excessive use of intoxicating liquors.

7. They believe that its withdrawal will be consonant with all respectable native opinion, and that its continuance is in no way required on legitimate considerations.

8. They approve of the Board's proposal, and authorize them to carry it out from the beginning of the next Fasli year.

(True Extract.)

(Signed)

W. HUDLESTON,

Officiating Chief Secretary.

To the Board of Revenue.

Exd. F. R. Bantleman.

STANDING CIRCULAR, No. LXXXV.

Board No. 8,218.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd December 1864.

As an outlay of private capital is frequently incurred in sinking wells, &c., when topes are planted in Government lands under the Tope Rules, and as it is desirable to encourage all such outlay and to facilitate as much as possible the raising of such plantations, Collectors are informed with reference to Rule V. of the Tope Rules, published with the Board's Circular dated 23th April 1859, that in future cases when Coconut or other trees are planted on Nunjah land, even when such land is registered as "double crop" land, the assessment for two crops should only be levied when water is obtained from a *Government* source of irrigation for a sufficient number of months in the year to have raised two rice crops had the land been devoted to this purpose. If a sufficient quantity of Government water for one rice crop only is obtained, the supply being supplemented by irrigation from a private source, then the assessment for a single crop only should be charged. This order will not apply to the Coconut and Dhir Pyre Gardens which are *already* assessed to the revenue.

(A true Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

(True Copy.)

(Signed) H. M. C. KELLY,
Acting First Assistant.

To All Collectors.

Exd. J. Wright.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 26th March 1872.

Read letter from again Board's Proceedings

6th January 1872 N^o 39.

Read also the following replies.

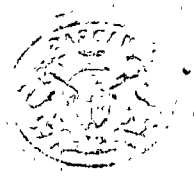
Collector of Malabar dated 22nd January 1872 N^o 15Commr of Nilgiris — 22nd — — — N^o 9Commr of Tinnevely — 24th — — — N^o 23— Tanjore — 25th — — — N^o 23— Bellary — 26th February — — N^o 47Telegram - South Canara - 7th March — —Salem — — — N^o 51Telegram - Godavari — 7th — — —— South Arcot — 7th — — — N^o 56— South Arcot 12th — — — N^o 87— North Arcot 8th — — — N^o 99— Chingleput — 8th — — — N^o 231Telegram - Coimbatore 9th — — —— Madurai — 12th — — — N^o 66Telegram - Cuddapah — 9th — — —Telegram - Kistna — 8th — — —— Elernool — 11th — — — N^o 66Telegram - Guntur — 13th — — —— Trichinopoly 29th February — — N^o 49— Vizagapatam 7th — — — N^o 28

From time to time during the currency of
the present Abkarry leases which expire on
the

C 454472 R 16: 24/12

No 192-

J. R. 634. 19/12/72



Rec: 1872: 24/12
J. R. 1109
of the Board of Revenue

Dated 26th March - 1872.
Despatched 26th -
O.B. 30th

with copy to
Sue

Fermented liquor - No
- passed to prohibit manu-
- facture of, for home consumption in all
parts of the Madras Presidency
except for exportation to other parts of the Presidency
submitted for information to Govt.

g.p.
20/12/72

Revenue Department

No. 634

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 19th April 1872

Read the following Proceedings of
the Board of Revenue.

Submitting for information of Govt.
proposal to prohibit manufacture of
fermented liquor for home consumption in all parts of the Madras
Presidency except in certain reserved
tracts

(No. 8. 26th March 1872)

A. A.

L. A.

M. A.

Section 5. Reg. 1 of
1820 authorized the Board of
Revenue to empower Collectors
either to retain the exclusive
privilege of manufacturing
country arrack, toddy and
other fermented liquors, or
well as the retail sale of
foreign or country manu-
factured spirits, toddy, and
other fermented liquors under
their own management.
on account of Govt. or to
rent

onto the privileges jointly or severally.

Madras Act 3 of 1864 repeals Reg. 1 of 1820.

defines liquor as any intoxicating liquor in the manufacture of which distillation or fermentation takes place.

Forbids the manufacture or sale or keeping for sale of any liquor of the above description except in conformity with the provisions of the Act.

authorizes the retention or assigning on conditions of the exclusive privilege of manufacture and sale of such liquors on account of Govt.

and in Sec. 28 provides that nothing in the Act shall be construed to restrict the home manufacture of fermented liquor for local and domestic consump- -tion and not for sale -

Provided

¹⁵⁷
Provided that it shall be ¹³³ competent for the Board of Revenue to declare such home manufacture illegal in any district or town unless only licensed under the Act -

The High Court have ruled that the exposure of sweet Babul juice resulting in spontaneous fermentation is a "manufacture" within the meaning of the Act.

The Board of Revenue now propose to exercise the power of prohibition vested in them in all parts of the Presidency except the border mountains of S. Canara and the Agency tracts of Gajpore and Nagapattam.

The prohibition has been already notified in the Madras District.

The Collector

of 12 Districts advocate the
withdrawal of the existing
privilege in the ground that
it is abused, or is open to
abuse to the detriment of the
State Revenue. Those of the
remaining 8 Districts state
that the concession is, in
these Districts, a dead letter

..... The Govt cannot
doubt that the concession,
so far as it has been opera-
tive, has probably been
abused for purposes of illicit
sale, and to the detriment of
the State Revenue, and that
it must have encouraged
the excessive use of intoxic-
ating liquors.....

..... They believe
that its withdrawal will
be consonant with all
respectable native opinion,
and that its continuance
is in no way required on
legitimate considerations.

They approve

7



16. Board of Rev. Dec 20/1972

I think the Govt
may be here the
less allow the
privilege to in-
crease, and
be a native,
of character &
position. I H

I don't see much use
in making exceptions.

MM

B. P.

JP

of the Board's proposal
and authorize them to
carry it out from the
beginning of the next
Fiscal year. L. D.

They can better agree
they like

10-192-198

