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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1591 Press

B.P. No. Mis.

Dated 19. 12. 1874

Not to be folded or roughly handled

733-2337

Proceedings of the Madras Government, Revenue Department,
19th December 1874.

No. 235. Read the following Proceedings of the Board of Revenue, dated 17th November 1874, No. 3,304:—

Read the following papers:—

Proceedings of the Madras Government, dated 15th October 1874, No. 1,323, Revenue Department.

ABSTRACT.—*Salt exported from Ganjam into Bengal.*—Observing that the Government of India have disapproved of the Bengal Government Rules for the treatment of salt sold in Ganjam for consumption in Bengal Chowkee limits; awaiting Revenue Board's opinion upon the temporary rules proposed in Mr. Hume's letter of 28th August last; and resolving, in the mean time, to point out to the Government of India the injury inflicted upon the Ganjam salt trade, owing to the action of the Cuttack authorities since the passing of Act X. of 1874.

From R. DAVIDSON, Esq., Acting Collector of Ganjam, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Berhampore, 23rd October 1874, No. 2,222.

WITH reference to the Board's Proceedings, dated the 6th instant, and to G. O., dated the 10th September last, No. 1,158, therewith communicated, I have the honor to offer the following remarks on the draft rules framed by the Government of India for the admission of Ganjam salt into Orissa.

2. Paragraphs 1 and 2 have my approval; but, as continuation of paragraph 2, after the word "thereof," I would add the words, "neither shall they be interfered with in any way whatever." These provisions will, however, be rendered almost nugatory, if, under paragraph 3, the Police on the pretext of "suspecting or apprehending fraud" are to be permitted to "*detain*" salt.

3. The Police will undoubtedly take advantage of this opening to continue the vexatious levy of black mail which is unquestionably practised, which is grievously complained of by traders, which is, in fact, at the root of the evils from which it is our object to relieve legitimate traders, but which unfortunately is almost unsusceptible of proof, owing to the hopelessness as well as expense and inconvenience which would attend an effort on the part of migratory traders to bring a charge of corruption home to a member of a force pledged to mutual support, and who have it in their power to adduce rebutting evidence of such a character as almost to preclude the possibility of a conviction. I would, therefore, remove the power of detention out of the hands of the Police, and would substitute the following in the place of paragraph 3:—

"If, owing to accident or any other cause, the salt should not reach its destination within the period fixed, then the pass-holder, on arrival at the place of destination, may be required by the nearest Magistrate to explain the cause of delay. Should it appear to the Magistrate that the pass-holder has wilfully overstayed the period of the currency of the pass, or should there be distinct proof of fraud, then the Magistrate should report the matter to the Collector, forwarding at the same time the full statement made by the pass-holder, together with the written evidence and the Magistrate's grounds for making the reference. If the Collector deems it necessary, he may, in the former case, impose a moderate

penalty, not exceeding ten per cent. on the value of the salt thus delayed in transit; and in case of distinct proof of fraud, he may confiscate the salt."

4. In every case of *inquiry* the Magistrate shall be required to forward within twenty-four hours after completion to the Collector of Ganjam, for his information, a copy of the statement made by the pass-holder, together with the Magistrate's decision and the grounds thereof; and in every case in which a *reference* is made to the Collector, the Collector shall, in like manner within twenty-four hours, furnish the Collector of Ganjam with a copy of his decision with the grounds therefor. I deem it indispensably requisite that, under any circumstances, the Collector of Ganjam should be kept fully informed in respect to all interference with salt covered by his protective passes.

5. I select, as an instance in support of my position, the case of a man named Tarini Naiko who, while proceeding to Sumbulpore in March last with a quantity of Ganjam salt covered by a proper rowannah, was seized at Ramagada in Boad of the Tributary Mahals, and tried by Baboo Ray Hari Krishnadoss Bahadur, the Cuttack Commissioner's Political Assistant, for having in his possession 50 instead of 60 maunds of salt as entered in the rowannah. The Political Assistant confiscated the whole of the salt, sold all the bandies, bullocks, and brass utensils in the man's possession, and sent him away absolutely ruined.

6. No intimation was given to me, nor was a reference ever made to ascertain whether a clerical error in entering 60 instead of 50 maunds might not have been committed.

7. The first notice I had of the matter was from Tarini who appeared in person before me. I lost no time in bringing his case to the notice of the Cuttack Commissioner, who reversed his Assistant's proceedings, but inflicted a penalty of Rupees 14-9-9 in lieu, as he was of opinion "it was quite impossible that such a deficiency (of 11 maunds 23½ seers) can have been caused by ordinary wastage, or even by bad weather," and refunded the whole of the balance of the sale proceeds of Tarini's salt, bandies, bullocks, and brass utensils, amounting to Rupees 240-6-9 to Tarini Naiko.

8. I have applied to the Cuttack Commissioner for a copy of the record and statement of evidence on which Tarini was convicted, but no attention has been paid to my letter.

9. I need hardly point out the injury to our trade which must necessarily be inflicted by such harsh and arbitrary proceedings as those of the Political Assistant, and I think I have said enough, apart from all other considerations, to satisfy the Board and Government of the necessity there is that the Collector of Ganjam should be kept fully acquainted with all cases of interference with salt protected by his passes.

10. Paragraph 4 has my approval.

11. I desire, however, to offer the following observations in regard to it.

12. Our salt traders, although from interested motives, no doubt, are none the less on that account great public benefactors.

13. They patiently travel enormous distances at no slight risk, in order to supply a necessary of life to teeming multitudes in the interior. They are compelled by law to buy at a fixed price, and I submit that, having conformed to the requirements of the law by obtaining rowannah and paying the proper price, they ought to be free to dispose of their commodity in the best procurable market, without being bound and fettered more than is absolutely necessary in the interests of the State.

14. Under paragraph 4, not only, therefore, should it be permissible for traders to sell salt "in transit between the Ganjam frontier and the place of destination," but they should also be allowed, without let or hindrance, to change the destination from within Regulation Provinces to the Tributary Mahals and Central Provinces where it has been declared there is "now no obstacle to the trade in salt from the coast," and *vice versâ*.

15. Directly salt has been sold in Regulation Provinces, it will become amenable to Bengal Rules; the *purchaser*, therefore, and not the seller, ought to be required to provide *himself* with whatever protective documents it may eventually be decided are necessary under Bengal Rules.

16. Subject to the above provision, I see no objection to the adoption of paragraph 5 of the Rules.

17. Much will, however, depend on the character of the restrictions which it may be decided to impose in the additions to be made to Rules 4 and 5. I think also that to prevent all possibility of misapprehension, there should be a distinct provision in the rules that no interference whatever will be permitted with properly protected salt passing through Regulation Provinces to the Tributary Mahals and Central Provinces. For reasons, *vide* my letters recorded in Board's Proceedings, dated 11th September 1874, No. 2,970:—

18. Having regard to the facts that one of the leading objects of the Bill (Act X. of 1874) was to reform the "stringently restrictive system" which has hitherto prevailed in Orissa to the disadvantage of Ganjam salt; that the price of Ganjam salt has been raised; that ever since the passing of the Act, we, the traders, and the salt consumers, have been deprived of its benefits, owing to the restrictions imposed by the Bengal Government; that more than half the entire revenue of this district is derived from salt, on the improved manufacture of which great pains have been bestowed; and, lastly, that the salt sales of this district alone are more than double those of the three Bengal Districts of Cuttack, Pooree, and Balasore put together, and for whose sole benefit restrictive measures are being temporarily continued, I trust you will concur with me in thinking it most reasonable that the Government of India should be asked to place a limit to the unceasing anxiety regarding the realization of revenue to which we shall be subjected until the full measure of freedom, which it is desired to give to the transit of salt into Regulation Provinces under Act X. of 1874, shall be accorded.

	Maunds.	Salt Revenue. Rs.
Salt consumed in 1873-74 in Pooree, Cuttack, and Balasore at the Bengal rates	207,107	12,79,064
Do. in Ganjam for the same period at only Rupees 2 a maund ...	836,795	16,05,865

19. I, therefore, solicit the favor of your urging Government to move the Government of India to fix a definite date, not later than the 31st March 1876, within which time the Government of Bengal may be required to mature their arrangements in such a way as will render interference with the internal transit of salt in Orissa altogether needless.

20. I hope to submit very shortly my suggestions as to the further precautionary measures which I consider advisable to be taken with reference to paragraph 4 of the letter from the Secretary to the Government of India, Department Revenue, Agriculture and Commerce, of the 28th August 1874, No. 242; and should they be sanctioned, I will guarantee that, as regards paragraph 5 of the letter already referred to, the Madras Government will be in a position to certify long before March 1876, that the establishment and system in Ganjam have been so re-organised as to render impossible such wholesale smuggling as is referred to. I may add that no such thing exists now.

This letter from the Collector of Ganjam, reporting upon the proposed temporary rules for the admission of Ganjam salt into Orissa, will be submitted to Government.

2. Mr. Davidson approves of paragraphs 1 and 2 of the draft, but would add a clause to paragraph 2, to the effect that neither the salt, nor the carriers thereof, shall be subject to any interference whatever. The Board see no objection to the proposed addition.

3. As regards paragraph 3, Mr. Davidson objects most strongly to the Police being allowed any power of interference with the salt-traders, and proposes a revised clause which transfers the power of inquiry into delays, etc., and of detention to the Magistrate who is to refer the case to the Collector if there has been wilful delay or proved fraud. The officer may impose a penalty for wilful delay, and on proof of fraud may confiscate the salt. The orders of the Magistrate and the decision of the Collector are to be reported to the Collector of Ganjam within twenty-four hours.

4. The Board fully concur with Mr. Davidson in his objection to powers of interference with salt in transit being conferred upon the Police. Knowing the feelings with which the Ganjam salt-traders are regarded by the superior officers, the Police would never be in want of an excuse for "apprehending fraud" and for vexatiously detaining and distressing the traders, and Police interference should be limited to bringing delays in transit, or other irregularities to the notice of the Magistrate. But, though it is advisable, no doubt, that the Ganjam District authorities should be kept informed as regards interference with Ganjam salt, the Bengal Magistrates and Collectors cannot be required to report their proceedings to the Collector of Ganjam within twenty-four hours as proposed by Mr. Davidson. A weekly or monthly return of detentions and penalties would be quite sufficient. The case detailed by the Collector seems a gross one, but, no doubt, much allowance must be made for exaggeration in the trader's statements.

5. Paragraphs 4 and 5 cannot be objected to, as it is reasonable that, when the transit is over, the same rules should be applied to Ganjam as to Bengal salt. Change of destination should, however, be provided for as suggested in paragraph 14 of the Acting Collector's letter.

6. Whether the restrictions on traffic in salt, which are imposed under the Bengal salt law, are new or not, it is clear that in their application recent changes have been made as pointed out in the Government Order read above, which changes make them more oppressive than before on Ganjam salt-traders. The Board

Proceedings of the Madras Government, Revenue Department,
19th December 1874.

are convinced that a liberal policy would encourage legitimate trade, and that the system pursued in Bengal must be as destructive to the revenue as it is oppressive to the traders. But so long as it is applied to Bengal traders, Ganjam traders cannot expect to be exempted from it. The intention, however, is that it shall cease as regards both classes, and the Board strongly support Mr. Davidson's recommendation that a definite date be fixed within which the Bengal authorities shall be required to arrange for the abolition of the system and for complete freedom of internal transit of salt in Orissa.

7. The Board do not believe that any system of interference with salt in transit would have had any effect upon the recent salt frauds in Ganjam; and they are satisfied that the measures which have been taken in the employment of Paiks for guarding the manufacture and increased watchfulness on the part of the authorities, and the arrangements which are about to be made for patrols, will reduce smuggling to a minimum in that district.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Sub-Secretary.

No. 236. ORDER THEREON, 19th December 1874, No. 1,591.

Separate Revenue, No. 21.
Salt.

THE Governor in Council approves of the views recorded by the Board of Revenue, and resolves to transmit a copy of their Proceedings to the Government of India, in reply to the inquiry contained in the endorsement of that authority, dated 28th August last, No. 245, (G. O., 10th September 1874, No. 1,153.)

(True Extract.)

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

To the Board of Revenue.

Encl. A. Grubert.

No. 3,304.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 17th November 1874.

Read the following papers :—

Proceedings of the Madras Government, dated 15th October 1874, No. 1,323, Revenue Department.

ABSTRACT.—*Salt exported from Ganjam into Bengal.*—Observing that the Government of India have disapproved of the Bengal Government Rules for the treatment of salt sold in Ganjam for consumption in Bengal Chowkee limits ; awaiting Revenue Board's opinion upon the temporary rules proposed in Mr. Hume's letter of 28th August last ; and resolving, in the mean time, to point out to the Government of India the injury inflicted upon the Ganjam salt trade, owing to the action of the Cuttack authorities since the passing of Act X. of 1874.

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3. The Police will undoubtedly take advantage of this opening to continue the vexatious levy of black mail which is unquestionably practised, which is grievously complained of by traders, which is, in fact, at the root of the evils from which it is our object to relieve legitimate traders, but which unfortunately is almost unsusceptible of proof, owing to the hopelessness as well as expense and inconvenience which would attend an effort on the part of migratory traders to bring a charge of corruption home to a member of a force pledged to mutual support, and who have it in their power to adduce rebutting evidence of such a character as almost to preclude the possibility of a conviction. I would, therefore, remove the power of detention out of the hands of the Police, and would substitute the following in the place of paragraph 3 :—

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(True Copies and Extract.)

Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department.
,, the Collector of Ganjam, with G. O., dated 15th October 1874.

Exd. A. Gruber.

Revenue 1874, Sep 10

Board of Revenue,
MADRAS.

PROCEEDINGS, 17TH NOVEMBER 1874, No. 3,304.

Supplied with [illegible] Encl.

Oct 1874 [illegible]

Received 27/

NOVEMBER
No. 3,304.

Admission of Ganjam salt into Orissa.—Letter from Collector of Ganjam reporting on proposed temporary rules [illegible] submitted to Government with Board's remarks. Recommendation of Collector that a definite date should be fixed within which [illegible] shall be required to arrange for abolition of present system pursued in Bengal in regard to restrictions on salt traffic, supported.

Revenue Department.

No. 1891

Proceedings of the Madras Government

Under date the 19th December 1874

Read the following

Pro. of the Bd. of Rev.

Sub. with remarks letter from Collr. of Ganjam reporting on proposed temporary rules for admission of Ganjam salt into Orissa, and supporting recommendation of Collr. that a definite date should be fixed within which Bengal authorities should be required to arrange for abolition of present system in regard to restrictions on salt traffic.

H.E. 17th Nov. 1874 No. 3304

Sd/ 7/12

W 11/12

W 9/12

The Governor in Council approves of the views recorded by the Board of Revenue and resolves to transmit

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8

235-236.