

(1) Number of Pages..... 3.6
(2) Date of repair..... 13.6.66
(3) Initials of the Referencer..... Di

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 224
~~B.P. No.~~

Press
~~Mis.~~

Dated

19.2.1874 196.

Not to be folded or roughly handled

229

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

No. 163. Read the following letter from J. GROSE, Esq., Secretary to the Board of Revenue, to D. F. CARMICHAEL, Esq., Secretary to Government, Revenue Department, dated Madras, 5th February 1874, No. 224:—

I AM directed to submit that in the Board's opinion an alteration in the law is necessary with regard to Wholesale Dealers in European Spirits, Wine and Beer in the town of Madras.

2. Under Section 5, Act XIX. of 1852, sales of European Spirits to the extent of one dozen quart bottles, and of Beer or Wine to the extent of six quart bottles are accounted wholesale sales, and under Section 4 Wholesale Dealers may sell smaller quantities if such quantities appear to the Collector to be intended only as samples. Wholesale Dealers need not take out an Abkari license.

3. Retail Dealers on the other hand must take out a license and the question whether such a license should be issued is determined chiefly with reference to Police considerations, such as the character of the applicant, and the locality where it is proposed to set up the shop.

4. As the law stands any one wishing to be a Retail Dealer who has been refused a license or anticipates a difficulty about getting one, sets up a shop under the pretence of being a Wholesale Dealer, and sells by retail under the colour of selling samples, whilst he avoids all surveillance.

Board's Proceedings, dated 19th September 1873, No. 1,877, shows that this state of things has had the natural result. In 1866 there were ninety-one places of retail vend for which licenses had been issued, and 226 Wholesale Dealers. In 1873 the Retail Dealers had decreased to seventy-seven, whilst the Wholesale Dealers had increased to 449. Most of these so-called Wholesale Dealers were Retail Dealers in disguise.

6. Mr. Blair tried to stop this evasion of the law by ordering that not more than a half pint bottle of spirits should be sold as a sample, but the only effect of this was to make the *pseudo* Wholesale Dealers lay in a stock of half pint bottles.

7. He then applied to the Board for authority to notify that all sample sellers must hold a retail license. The Board thought the difficulty might be met in this way, and allowed the notification. Their Proceedings were submitted to Government, and recorded in G. O., dated 12th December 1873, No. 76, Revenue Department, but in their Order of the 21st January, No. 94, Government ruled that "Wholesale Dealers should not be required to obtain retail licenses as a condition of exercising their legal privileges in respect to the issue of samples."

8. This being decided, the Board are strongly of opinion that the law should be altered so as to make it necessary for Wholesale Dealers as well as Retail Dealers to obtain a license from the Collector. Papers which have already been submitted to Government show that Revenue as well as Police considerations are involved.

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

No. 164.

ORDER THEREON, 19th February 1874, No. 224.

Separate Revenue, No. 10.

Abkari.

It is observed that a so-called "wholesale" dealer, selling by retail under the colour of selling samples, is liable to a fine not exceeding 500 Rs. for each such sale. It has not yet been shown that it is impossible to work this provision of the law; there should be no insuperable difficulty in detecting such cases, the Abkari Department under the Collector taking concerted action with the Police for the purpose.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Cont. of 1874

REVENUE.

THE BOARD OF REVENUE.

Noted February 18th.

O. O. 19th February 1874, No. 224

FEBRUARY.

Nos. 163-164.

Madras Abkari Law.—With reference to the Board's opinion that an alteration should be made in the —, observes that "wholesale" dealer selling under colour of selling samples are punishable, and that the Abkari Department and Police, working in concert, should find no insuperable difficulty in detecting such cases.

3
229

No. 224.

From J. GROSE, Esq., Secretary to the Board of Revenue,
To D. F. CARMICHAEL, Esq., Secy., to Govt., Revenue Department.

SIR,

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3. Retail Dealers on the other hand must take out a license and the question whether such a license should be issued is determined chiefly with reference to Police considerations, such as the character of the applicant, and the locality where it is proposed to set up the shop.

4. As the law stands any one wishing to be a Retail Dealer who has been refused a license or anticipates a difficulty about getting one, sets up a shop under the pretence of being a Wholesale Dealer, and sells by retail under the colour of selling samples, and he avoids all Police surveillance.

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