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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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

628

Press
~~Mis.~~

Dated 16. 5. 1876 ~~196~~ .

Not to be folded or roughly handled

622/1

Proceedings of the Madras Government, Revenue Department,
16th May 1876.

No. 147. Read the following Proceedings of the Board of Revenue, dated 19th April 1876, No. 1,027:—

Read the following Proceedings of the Madras Government, dated 20th March 1876, No. 393, Revenue Department.

ABSTRACT.—*Guards supplied for preventing unlawful removal of Spirits from Distilleries.*—Referring to the Board of Revenue for report letter from the Inspector-General of Police requesting certain information regarding —.

THE renters of excise districts are bound, under the terms of their agreement, to pay the cost of such Police guards and gauging establishments as the Collector may consider necessary, provided the sum of Rupees 100 per mensem for each distillery or depôt be not exceeded. As the payment was intended to cover the whole cost of the establishment required to be maintained under the new system, the renters are, strictly speaking, liable to the imposition of pensionary charges to meet contingent liabilities in connection with the establishment for which they have agreed to pay, and, as a matter of fact, the charge has been paid, the Board believe, since the introduction of the new system without objection.

2. The Resolution of the Government of India, on the authority of which the charge has been made, does not appear to be quite applicable to the present case. The case of the Police guards charge to the Salt manufacturers in Orissa is analogous, but the Board are not aware whether a pensionary contribution is claimed in respect of them.

3. The section of the Pension Code inapplicable, as the gaugers are not "maintained in that post does not count already on a permanent establishment. The Board believe that in other districts besides Coimbatore, Government servants have been transferred to temporary employment given in Board's Proceedings, dated 26th July 1872, No. 1,423, but no pensionary contributions have apparently been made in respect of such persons. If, however, it is required in the case of the gaugers, and, as observed above, the charge may fairly be imposed, so long as the total does not exceed the stipulated sum which the renters are bound to contribute.

(A true copy)

(Signed) C. A. GALTON,
Acting Secretary.

No. 148. ORDER THEREON

Separate Revenue, No. 15.

Abkari.

24th February 1876, No. 827. T

1876, No. 628.

COMMUNICATED to the Judicial Department with reference to the endorsement in that department on letter from the Inspector-General of Police, dated 24th February 1876, No. 827, that the Accountant-General was

*Proceedings of the Madras Government, Revenue Department,
16th May 1876.*

wrong in considering that Section 26 of the Pension Code was applicable to the case is correct; and the Government consider that the pensionary charges for both Police Guards and Gaugers should be met from the 100 Rs. paid under agreement by the renters. In future agreements it is desirable to stipulate that, should the cost of the establishment and pensionary contributions together exceed Rs. 100, the excess should also be borne by the renter.

(True Extract.)

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

To the Judicial Department.
" the Board of Revenue.

Ed. F. R. Bantleman.

Guards supplied for preventing unlawful removal of spirits from Distilleries.—Communicating, with remarks, to the Judicial Department Proceedings of the Board of Revenue relative to the question whether the renters are liable to pay pecuniary charges on account of—

MAY.

Nos. 147-148.

Recd.
Dated May, 16th.

Encl.

THE JUDICIAL DEPARTMENT,
Sd., &c., &c.

Govt. of 1876
REVENUE.

No. 1,428.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th July 1872.

Read the following letter from W. S. WHITESIDE, Esq., Acting Collector, North Arcot, to the Secretary to the Board of Revenue, dated Palmanair, 18th July 1872, No. 309:—

ADVERTING to the Proceedings of the Board, dated 15th instant, No. 1,321, passed upon my letter, No. 296, dated 11th idem, I have the honour to request you will be good enough to inform me whether the gaugers now employed by me cannot be considered to come within Section 98 of the Civil Pension Code, they being "officers of a permanent establishment detached on temporary duty, on the understanding that when the temporary duty ceases they will return to the permanent establishment" and being remunerated by monies levied "under the authority of Government," (Section 23 D., Chapter VI. of the Civil Pension Code.)

2. Collusion between the distiller, the gauger, and the Police will undoubtedly cause serious loss of revenue to Government, and as this will to a great extent be prevented by securing the services of men on whom we can place confidence I venture once more, and at the risk of being thought pertinacious, to trouble the Board in view of the interests of Government at stake, and request that they will be pleased to inform me whether my reading of the above section of the Civil Pension Code is correct. If, however, the Board should dissent from me I beg to be informed whether, leaving out their service as gauger, my nominees can be allowed the privilege of connecting their previous service on the permanent establishment with future service in any of the eligible grades.

3. With this concession the gaugers now appointed by me will have no objection to hold their present appointments until the Excise system is placed on a permanent footing, or at any rate until the result of the present experiment is known.

4. I am very much averse to troubling the Board with so many references on this subject, and would not do so if I could avoid it; but as I still think that the satisfactory collection of duty depends very much upon the honesty of the gauger, whose registers and passes, accounts of the distillers, I trust I may be our only means of checking the excused for this reference.

5. It appears to me that if I am correct no reference at all need be made to the Government of India.

6. If the Board, however, think I am wrong in my construction I must, as a last course, request them to order that other arrangements to the effect of the Government of India be made.

7. In conclusion, and with reference to the Board's observation in paragraph 3 of the Order, No. 1,321, dated 15th instant, I must observe that I did not, in my letter then under reference, mention the Police guards would be paid by the distillers. It seemed to me that inasmuch as the distillers under the Government provide the monthly pay of these men for working in distilleries, (the money only passing to them through the Collector's hands, was only a distinction with very little real difference as to the nature of the service being rendered to Government or the distillers.

(A true Co and Extract.)

To the Acting Collector of North Ariz.

Copy to the Collector of Ganjam.
 „ to the Collector of Vizagapatam.
 „ to the Collector of Chingleput.
 „ to the Collector of South Arcot.
 „ to the Accountant-General.

Ed. J. Tynosa.

Gaugers in Abkhar Department—of North Arcot District.—Collector's proposal to detach officers of the permanent establishment from temporary employment as, assented to.

Received

JULY.
No. 1, 428.

PROCEEDINGS, 26TH JULY 1872, No. 1, 428.

Board of Revenue
MADRAS.

1872.

THE renters of excise districts are bound under the terms of their agreement to pay the cost of such Police guards and gauging establishments as the Collector may consider necessary, provided the sum of Rupees 100 per mensem for each distillery or depot be not exceeded. The payment was intended to cover the whole cost of the establishment required to be maintained under the new system, the renters are strictly speaking liable to the imposition of pensionary charges to meet contingent liabilities in connection with the establishment for which they have agreed to pay, and as a matter of fact the charge has been paid, the Board believe, since the introduction of the excise system without objection.

2. The Resolution of the Government of India on the authority of which the charge has been made, does not appear to be quite applicable to the present case. The case of the Police guards charged to the Salt manufacturers in Orissa, is analogous, but the Board are not aware whether a pensionary contribution is claimed in respect of them.

Reported by the Accountant-General is

3. The section of the Pension and Service in that post does not cover already on a Permanent Establishment believe that in other Districts beside transferred to temporary employment given in Board's Proceedings, dated contributions have apparently been ever, it is required in the case of the gaugers, and as observed a fairly be imposed, so long as the the stipulated sum which the rent

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872, No. 1,428, but no pensionary
respect of such persons. If, how-
rd, it is equally payable in respect
d consider that the charge may
he Establishment does not exceed
d to contribute.

Acting Secretary.

To the Secretary to Government, Revenue
with copy

Exd. A. Raitt.

dated 26th July 1872, No. 1,428.

No 658

Communicated to the Judicial Department
 under reference to the endowment in the
 Department on 10th June 1876. The Board's decision
 of 14th July 1876 No 497. The Board's decision
 the Commission General was wrong in considering
 that the 26th of the Pension Code was applicable to his case.
 It is correct that the for Government that his pensionary charge for
 both Police guards & Sanyas should be met from his 100 Rs paid under
 agreement in his contract. In future agreements it is desirable to see
 that the cost of the Police guard & Sanyas is met by the Government.
 16th May 1876

12-576

No 658 16 June 1876

will order

Guards supplied for preventing unlawful
 removal of Spirit from Distilleries.—Sub-
 mitting to Government Board's remarks with
 reference to question whether the renters are
 liable to pay pensionary charges on account of

APRIL.
No. 1,027.

Received

17th May 1876

20th May 1876

PROCEEDINGS, 19th APRIL 1876, No. 1,027.

MADRAS.

Board of Revenue,

1876. 18th May

21st 1876

Encl 1

5. To the Judicial Dept. 26
 11. The Board of Revenue