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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

Gi.O. No.	1811	Press.
B.P. No.		Mis.
Dated	9.11.1878	197

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1811
1

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

9th November 1878, No. 1,811.

Read the following paper:—

No. 128. Proceedings of the Board of Revenue, dated 11th June 1878, No. 1,572.

Read the following Proceedings of the Madras Government, dated 24th May 1878, Revenue Department:—

ABSTRACT.—Referring to the Board for report petition from Messrs. Groves, Wait and Co., Proprietors, Nilgiri Bakery, expressing their difficulty in obtaining toddy for the use of their Bakery.

A copy of the Board's Proceedings, dated 9th March 1878, No. 630, passed on Messrs. Groves, Wait and Co.'s application, will be submitted for the information of Government. The price of toddy varies considerably in different parts of the country, and the Board have not the information necessary to enable them to fix a maximum price suitable to the varying conditions of different localities, no returns having hitherto been required from the toddy vendors. The Board have prescribed returns for adoption from the commencement of the new leases. It is observed that no complaints have been received from other quarters, and the Board see no reason why bakers should not be left to make their own arrangements with the renters of toddy farms. But even if it were desirable to make special provision in the matter it is now too late to do so, the contracts for the next three years having been disposed of subject to no restriction of the nature proposed. The monopoly of manufacture and vend having been conveyed unreservedly, the Collector is not competent to grant passes for the supply of toddy for baking purposes at the minimum rate prescribed; this appears to have been the practice formerly on the strength of Board's Proceedings, dated 9th September 1862, No. 5,987, which was passed prior to the enactment of the present law and prohibition of manufacture for domestic consumption.

(A true Extract.)

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

No. 129. ORDER THEREON, 9th November 1878, No. 1,811.

Separate Revenue, No. 10.

Abkari.

HIS GRACE the Governor in Council assumes that the terms of the Toddy Farm are in accordance with the provisions of the Abkari Act III of 1864, Madras, which alone gives them legal force. That Act relates to the manufacture, sale, &c., of liquor which is defined as "intoxicating liquor in the manufacture of which distillation or fermentation takes place." There is nothing in the Act to restrain the sale of a non-intoxicating substance to be used in the manufacture of bread or of jaggery.

2. The juice of palm or cane would equally come under such a restriction, if it existed, for from both an intoxicating liquor can be manufactured. But as prohibition of the use of cane juice for making sugar has never been suggested under the Abkari law, so neither in the opinion of the Government can the use of palm juice for manufacturing brand be so forbidden.

3. The Abkari law or licenses certainly did not contemplate such restriction, and all that Government can be required to do, is to adopt such reasonable precautions as may be needed to protect the legitimate interests of the Abkari renters. His Grace the Governor in Council considers that this may easily be done by Collectors granting passes with discretion and on security to protect palm juice in transit to bakeries or sugar manufactories.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under-Secretary to Government.

To the Board of Revenue.

Ed. W. H. French.

1811
2

1811/3

No. 630.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th March 1878.

Read the following letter from A. WEDDERBURN, Esq., Collector of Coimbatore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 23rd February 1878, No. 22 :—

I HAVE the honor to bring to notice of the Board of Revenue the great inconvenience which the absence of a maximum rate for toddy entails on the bakery trade of this country, and not only on the consumers of bread in civil life, but on the contractors for the supply of the soldiery at Wellington.

2. Toddy is sold at five times the minimum—a sufficiently remunerative price—which is an abuse of the monopoly.

3. I believe it was the impression that toddy, if not at once consumed, would be wasted, and that it is the interest of the toddy contractor to sell cheap and so avoid loss, but toddy can always be turned into arrack. As a raw article it costs almost nothing in proportion as compared with the distillation of arrack, on which there is a maximum price. I see no reason why a maximum price should not be fixed on toddy.

THE Board see no necessity for fixing a maximum price for toddy and have not sufficient information on the subject to enable them to fix rates which could be applied in all districts. The reason which renders the stipulation necessary in the case of arrack, viz., to prevent renters from working some portions of their farm and neglecting others, is wanting in the case of toddy. No complaints have been received from other quarters and the inconvenience entailed on the bakery trade and consumers of bread cannot be great. As regards the remark that toddy can always be turned into arrack, the Board observe that such manufacture will be illicit, and fixing a maximum price for sale of toddy will not tend to reduce the risk.

(A true Copy and Extract.)

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

To the Collector of Coimbatore.

End. G. Freeman.

CONF. of 1878] *Coimbatore*
REVENUE.
THE BOARD OF REVENUE.
Dated 9th March 1878.
No. 22.
To the Collector of Coimbatore.

Note for 5337/18

Toddy for manufacturing Bread - Passing through the hands of the Collector of Coimbatore, and being sold at a price of 1/2 per gallon, is a great source of profit to the contractor, and the legitimate interest of the bakery trade of this country, and not only on the consumers of bread in civil life, but on the contractors for the supply of the soldiery at Wellington.

1878.
Board of Revenue,
MADRAS.

PROCEEDINGS, 9th MARCH 1878, No. 630.

MARCH.
No. 630.

Toddy.—Following Collector of Coimbatore
and Board of Revenue see no necessity for
fixing a maximum price for —.

Recd 7/5/78
B. 1/2

1878/11

No. 5,987.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th September 1862.

Read the following letter from P. GRANT, Esq., Collector of Coimbatore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Ootacamund, 27th August 1862, No. 180 :—

1. In the Abkary Rules framed by the Board of Revenue, and now generally adopted, it is ruled that a person drawing Toddy from his own trees is free to apply it for his private use.
2. Under this rule, can a Baker draw toddy for the purpose of his trade, i. e., baking bread; and if so, can he rent a tope and draw toddy from its trees for the above purposes?
3. The question has been raised at Coimbatore, and its early and authoritative decision is expedient.

The only restriction in the Regulation in regard to Toddy is that *its unlicensed sale* is a breach of the Abkary Law. The Board therefore see nothing to prevent a Baker from renting a Tope, and using the Toddy in the manufacture of bread.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To P. Grant, Esq., Collector of Coimbatore.

Ezd. J. Wright.

No. 1,572.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th June 1878.

Read the following Proceedings of the Madras Government, dated 24th May 1878,
Petition Department:—

ABSTRACT.—Referring to the Board for report petition from Messrs. Groves,
Wait and Co., Proprietors, Nilgiri Bakery, expressing their difficulty in obtaining
toddy for the use of their Bakery.

A COPY of the Board's Proceedings, dated 9th March 1878, No. 630, passed on
Messrs. Groves, Wait and Co.'s application, will be submitted for the information of
Government. The price of toddy varies considerably in different parts of the
country, and the Board have not the information necessary to enable them to fix a
maximum price suitable to the varying conditions of different localities, no returns
having hitherto been required from the toddy vendors. The Board have prescribed
returns for adoption from the commencement of the new leases. It is observed
that no complaints have been received from other quarters, and the Board see no reason
why bakers should not be left to make their own arrangements with the renters of
toddy farms. But even if it were desirable to make special provision in the matter
it is now too late to do so, the contracts for the next three years having been disposed
of subject to no restriction of the nature proposed. The monopoly of manufacture
and vend having been conveyed unreservedly, the Collector is not competent to grant
passes for the supply of toddy for baking purposes at the minimum rate prescribed;
this appears to have been the practice formerly on the strength of Board's Proceedings,
dated 3rd September 1862, No. 5,987, which was passed prior to the enactment of
the present law and prohibition of manufacture for domestic consumption.

(A true Extract.)

Alum
Acting Secretary.

To the Secretary to Government, Revenue Department, with Petition returned,
and copies of Board's Proceedings, dated 9th March 1878, No. 630,
and 9th September 1862, No. 5,987.

Copy to the Collector of Coimbatore, with Government Order.

Ed. A. Grubert.

1862 Department

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 9th September 1862.

No. 5,987.

Dec 2/1878

Giving it as the Board's opinion on a refer-
ence from the Collector of Coimbatore, that a
baker may be allowed to rent a Type and use
the Toddy in the manufacture of bread.

409. No. 1572. No. 1,572.

Revenue Department.

No 1592

Proceedings of the Board of Revenue.

Dated 11 June 1878.

Read G.O of 24 May 1878 Pct^{re} Depart^{mt}.

A copy of the Board's Proceedings dated 9th March 1878 has been passed on Messrs Groves Wait & Co's application will be submitted for the information of Government. The price of Toddy varies considerably in different parts of the Country & the Board have not the information necessary to enable them to fix a maximum price suitable to the varying conditions of different localities & no returns having hitherto been required from the Toddy vendors. The Board have prescribed returns for adoption from the commencement of the new leases. It will be observed that no complaints have been received from other quarters & the Board see no reason why Bakers should not be left to make their own arrangements with the renters of Toddy farms. But even if it were desirable to make special provision in the matter it is now too late to do so the contracts for the next 3 years having been disposed of subject to no restriction of the nature proposed. The monopoly of manufacture & vend having been

Conveyed

No 2545

1878.

BOARD OF REVENUE,
MADRAS.

PROCEEDINGS, 11th JUNE 1878, No. 1,572.

Copy 11-6-78

Encl. 4

Received 13th June 1878

JUNE
No. 1,572.

Alkari.—Informing Government, with reference to petition from Messrs. Groves, Wait and Co., Proprietors, Nilgiri Bakery, that Board have not the information necessary to enable them to fix a maximum price for toddy, and expressing opinion that bakers should be left to make their own arrangements with renters of toddy farms.

909 November 1878 No 1571

N^o 128

1872-10-18
1873-10-18
1874-10-18
1875-10-18
1876-10-18
1877-10-18
1878-10-18

27-11-78 Rs. 100/00

conveyed unreservedly the Collector is not competent
to grant passes for the supply of Toddy for baking
purposes at the minimum rate prescribed; this
appears to have been the practice formerly on
the strength of Board Pro: of 9th Sept: 1862, 5987
which was passed prior to the enactment of the
present law & prohibition of manufacture for
domestic consumption.

[True Extract]

W. L. L.
M. Secretary

To The Secretary to Government R.O.
with Petition returned & copies of
Bd Pro: of 9th March 1862: 630 & 9th Sept: 1862
185987.

W. L. L.

1811
7

Dec 18 1898

189545

Proceedings of the
Board of Directors
Bates 11 June 1898.
Dec 18

Re 4.

Copy

informing Board with
reference to petition
from house of representatives
of the Republic of
Cuba, that in informal
-tion is necessary to enable
Board to file a Provisional
Bill for 1898.

Dec 18 1898
Dec 18 1898
Dec 18 1898
Dec 18 1898

6 St 2545 of 1878

Revenue Department

Memo.

On Board's Proceedings dated 11th June 1878 No. 1572

The questions for consideration
are these.

The Alkari is not intended (1) The monopoly of manufacture
to interfere with manufacture and need of toddy having been
- as the Mettelization of conveyed unreservedly to a con-
- spirit is provided for - tractor, is the Collector of a District
and I think that the Ro- competent to grant passes for the
- to have the matter be- supply of it for baking purposes
the Kuru in March - ed at the minimum rate presented
is not providing for the in-
the interference with the
manufacture of bread or should the baker make his
- It was not then too late - own arrangements with the ruler.

On the 10th of June 1878. (2) Can the baker make his
claim to try the issue of
license for the District for
for taking security for the
strict limitation for baker
purposes - the Contractors
own arrangements with toddy
drawers direct and obtain from

them a supply of unfermented
toddy, irrespective of any bars
from the Collector or permission
of the toddy contractor?

2. The Board have decided
the first question in the negative -
They doubt if any concession
in favor of bakers is at all
desirable, and even if it be

so, they say it is now too late
to do any thing as the contracts
for the next three years have been
disposed of subject to no restric-
tion of the kind now proposed.
It follows therefore that in their
opinion the baker must make
his own arrangements with the
toddy contractor.

3. In regard to the second
question, it is deemed that what
is wanted for baking purposes
is unfermented toddy, if available.

In 1862, the Board of Revenue

Might possibly
try the issue in the
Courts but if we are prone
careful measures for the pro-
tection of his interests I think
the Courts will take a liberal
view - at all events or may
break him & do so that might
bring him to his senses
Public health is a consider-
ation in this discussion
15/10 1862

I assume that the terms
of the 2ndy Decree are in
accordance with the provisions
of the Abkari Act 3 of 1864
Andras. It should give
them legal force. But what
relates to the manufacture of
the liquor. It is defined
as distilling "Intoxicating
liquor in the manufacture of
distillation or fermentation
takes place" I find nothing in
the act to restrain the sale

Under the enclosed letters
of Messrs Groves, Ward & Co

for manufacturing
substances to be used
in the manufacture of
Brind or of Jaggery
The price of palm or
cane is equally common
under such restriction
if it exists for former
both are intoxicating
liquor can be manufactured
under the restriction on
the use of cane juice for
making liquor. However
here suggested under the
Abkari law, to use the
cane the use of palm juice
for manufacture of Brind
has been tried in any
of the Abkari law
certainly did not seem to be
such a restriction. But
that for it can be required
to do - is to adopt such
reasonable precautions
as may be needed to

were of opinion that under the
regulations then in force, a
baker was at liberty to rent a
lope and use the toddy in the
manufacture of bread. This privilege
appears to have continued in
Coimbatore district up to a
recent date.

4. As to the present aspect of
the question under the existing
Abkari law (Act III of 1864)
there seems to be considerable
divergence of opinion. Under
Section 21 of the Act, the mere
fact of drawing toddy without
a license or at a place not
specified in the license, is
construed into manufacturing
liquor - an offence punishable
with a fine not exceeding Rs 500
and the forfeiture of license if any.
But in a decision recently passed
by the District Munsiff of Coa-
nada, it was held that any

I don't think. It is the
process of fermentation & then
mixed with the drug & it is
essential. Unfermented
Gott's is prepared by perforce. I have 4/4

Revenue Department

No 1811

Proceedings of the Madras Government.
Under date the 9th November 1878.

Read the following
Proceedings of the Board
of Revenue dated 11 June 79
No 1572.

1. His Grace the Governor
in Council assumes that
the terms of the Soddy
Tann are in accordance
with the provisions of the
Abkari Act III of 1864, Madras,
which alone gives them
legal force. That Act
relates to the manufacture,
sale

MD
8/11

Regarding Soddy res
for Bakers.

G. G. K. M. M. No 1811

For L. K. C. M. S.

C 12-10-78 PC 26-10-78
R 16-10-78 R 28-10-78
R 16-10-78
R 25-10-78

sale &c of liquor which
is defined as "intoxicating
liquor in the manufacture
of which distillation,
or fermentation takes
place". There is nothing
in the Act to restrain the
sale of a non-intoxicating
substance to be used
in the manufacture of
Brandy or of Jaggery.

2. The juice of palm
or cane would equally
come under such restriction,
if it existed, for both are
intoxicating liquor can be
manufactured. But as
prohibition of the use
of Cane juice for making
sugar has never been
suggested under the Abkari
Law

Law, so neither in the
opinion of the Govt.
can the use of palm
juice for manufacturing
Brandy be so forbidden.
3. The Abkari Law or
Laws certainly did not
contemplate such re-
striction and all that
Govt can be required to
do, is to adopt such
reasonable precautions
as may be needed to
protect the legitimate
interests of the Abkari
renters. His Grace the
Governor in Council con-
siders that this may
easily be done by follow-
ing the precedents with
discretion

discretion and on security
to protect palm juice
in transit to Bakeries
or Sugar Manufacturing.

J. L. C.

7
14 Bond of Revenue Sept 16/1878

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1811
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Lib
Toddy for Bakers

W. Robinson

07-11-78 R. H. H. H.