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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / ~~B.P. No.~~	481.	Press. / Mis.
Dated	21. 2. 1828 ~~197~~ .	

Not to be folded or roughly handled.

Archives I—10,006—19-4-79.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

12th February 1878, No. 28.

Earth Salt Act.

Read the following paper:—

No. 8. *Proceedings of the Board of Revenue, dated 31st January 1878, No. 263.*

Read G.O., dated 21st January 1878, No. 101.

The Board respectfully submit that legislation to the effect stated in paragraph 1 of the foregoing Order will deal with a portion only of the difficulty and will even within its nominal scope prove inoperative and useless.

2. A Bill which fails to provide against the collection and use of swamp salt cannot be considered a sufficient disposal of the question; and, as regards earth salt, though the illicit manufacture of it may perhaps be punishable under the existing law, it is necessary for the security of the revenue that the possession of it should be constituted an offence as until the manufacture was licensed in the Ceded Districts it has hitherto been deemed to be.

3. But the gravest defect in the proposed Act, and that which will render it [illegible] successful prosecution, [illegible] it will be impossible to [illegible] any such proof [illegible] it may be certain that the possession or collection of salt earth can only end in its being used in some form or other to defraud the salt revenue. For this result it is not necessary that salt should be manufactured, and the intention to manufacture it may not be present at all. In many cases a strong brine is procured from the salt earth and used without evaporation for all purposes to which salt is applied. The presumption in all cases that the collection or possession of salt earth is accompanied with intention to defraud the revenue is so strong that it is unreasonable to require the prosecution to prove the fact independently. It will be held under the Bill that independent proof must be had.

4. The protection of the salt revenue, which has been seriously imperilled since the recent ruling of the High Court and will not be helped by the proposed enactment, is a matter of too great importance to be trifled with, and the Board feel it their duty to record their earnest protest against the present decision of Government. They are charged with the supervision of the salt revenue, which is one of the main resources of the State, and they are entitled to ask that adequate powers to enable them to protect and improve it shall be conferred upon their executive subordinates, whose hands are now completely tied. If smuggling could be suppressed, consumption would increase and would yield additional revenue, which might obviate necessity for the imposition of new, petty, and more galling taxes.

5. The Board submit that the levy of a tax, which like the salt duty in Madras raises the price of the article at first hand to fifteen times its cost, cannot be entirely free from hardship, and can only be maintained by stringent laws strictly enforced. Any relaxation of the law, or leniency in enforcing it, must end in evasion of the tax by some classes, and those who benefit by the evasion will usually be the lawless and least deserving. The honest and law-abiding classes will be positively injured, in so far as the tax fails to produce its proper return and other taxes are rendered necessary.

(A true Extract.)

(Signed) H. E. STOKES,
Secretary.

Transferred to the Legislative Department with Members' notes.

FORT ST. GEORGE,
6th February 1878.

(Signed) C. G. MASTER,
Secretary to Government, R.D.

No. 9. ORDER THEREON, 12th February 1878, No. 28.

As regards swamp salt, it is observed that this production, if not sold by the Collector, is destroyed by him: and that the illicit use of such salt has not been declared an offence by the High Court.

2. The possession of earth salt, *i.e.*, of course "with intent to defraud the public revenue"—has, the Board will note from the Bill as passed, been declared an offence. It was necessary to add the foregoing intent, as earth salt may, when well and carefully manufactured, be mistaken for the legitimate article.

3. In the same way, the possession of salt earth has been declared an offence, when any person shall have it in his possession "for the purpose, or with the intention, of making or manufacturing the same into earth salt." The Government are advised that the intent may be inferred from the possession in the vast majority of cases, though the presumption will always be rebuttable. In regard to *brine*, the Government are not prepared to legislate; they do not believe it is extensively used, and it certainly cannot be a merchantable commodity, any more than sea water.

(True Extract.)

[redacted]

To the Board of Revenue.
" Revenue Department.

Exd. A. S. Rodgers.

5 d. Copy

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Revenue Dept.

No 766

Govt. of [illegible] Madras

LEGISLATIVE.

To

THE BOARD OF REVENUE.

&c., &c., &c.

Dated February, 12th.

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G.C., 12th February 1878, No. 28.

FEBRUARY.

Nos. 8-9.

Earth Salt Act.—With reference to the ren
of the Board of Revenue as regards swamp
observation recorded that the use of such sa
not been declared no offence by the High Cour

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