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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue - DEPARTMENT

G.O. No. 634, Revenue Press.
B.P. No. _____ Mis.

Dated 29th April 1898 197 .

Not to be folded or roughly handled

 * செப்பனிடுவதற்காக எடுத்துக் *
 * கொள்ளப்பட்ட *
 * மாதம் வருடம் 85 *
 * செப்பனிடும் முடித்த *
 * மாதம் வருடம் 85 *
 * ஆராய்ச்சி உதவியாளரின் *
 * கையொப்பம். *

GOVERNMENT OF MADRAS.
 REVENUE DEPARTMENT.

29th April 1878, No. 634.

Read the following paper :—

No. 268. From Messrs. LYNCH AND TOBIN, Solicitors, High Court, Bombay, to C. G. MASTER, Esq., Secretary to the Government of Madras, Revenue Department, dated Bombay, 12th March 1878.

At the instructions of our client Mr. Hurry Bhanjee, we have the honor to request you that you will forward to the Chief Secretary to the Government of India our letter with accompaniments herewith transmitted.

ENCLOSURE No. 1.

From Messrs. LYNCH AND TOBIN, Solicitors, High Court, Bombay, to the Chief Secretary to the Government of India, Revenue Department, Calcutta, dated Bombay, 28th February 1878.

On behalf of our client Mr. Hurry Bhanjee, we beg to bring to the notice of His Excellency the Governor-General of India in Council that our said client, previous to the passing of the New Salt Act of 1877, paid the necessary duty to the Collector of Salt Revenue in Bombay, and obtained permission to remove certain salt from the salt-works in the districts mentioned in a letter to the Chief Secretary to the Madras Government, hereto annexed; and thereupon he shipped the salt on board different vessels to the Malabar Coast, the vessels reaching the port of destination in the beginning of January last, when the Collector of Salt Revenue there demanded an additional duty of 11 annas per maund, and would not allow the removal of the salt from the wharf unless such duty was paid.

2. We, therefore, at the instructions of our client, addressed a letter to the Chief Secretary to Government, Madras, dated the 14th January last, a copy of which is herewith sent, requesting him to issue necessary directions to the Collector of Salt Revenue or other officer at Calicut to allow our client's Agent at that place to remove the salt without payment of additional duty thereon; and in reply, we received from the Secretary to the Madras Government on the 12th instant an order of that Government to the effect that the Collector will be directed to realise the duty in due course, and there is no reason for any remission, a copy of which is herewith sent.

3. Before receipt of the said order we are instructed that our client's Agent at Calicut was allowed to remove the salt on giving a guarantee for payment of the additional duty when demanded, our client, of course, treats such guarantee as given under protest.

4. We are instructed that the duty on salt is always paid in Bombay before its exportation, and such being the case and our client having once paid the proper duty on his salt exported from the salt-works in the Bombay Districts and obtained necessary permits before the passing of the new Salt Act 1877, we submit there is no provision in the said Act under which the Collector of Salt Revenue in Madras can lawfully demand fresh or additional duty on such salt.

5. The order of the Government of Madras which, in effect, confirms the order of the Collector of Salt Revenue in Malabar is erroneous and unlawful; and we beg His Excellency the Governor-General of India in Council will be pleased to issue instructions to the Madras Government to direct the Collector of Malabar to cancel the guarantee obtained from our client's Agent for payment of the additional duty or to refund the amount of excess duty, if recovered, pending the disposal by His Excellency in Council of subject of this letter.

From Messrs. LYNCH AND TOBIN, Solicitors, High Court, Bombay, to the Chief Secretary to Government, Revenue Department, Madras, dated Bombay, 14th January 1878.

On behalf of our client Mr. Hurry Bhanjee, of Bombay, merchant, we have the honor to bring to your notice that he, previous to the passing of the new Salt Act of 1877, paid the necessary duty to the Collector of Salt Revenue in Bombay, and obtained permission to remove the salt from the salt-works at Bellapore and Ooran within the Bombay Presidency, and to export the same to the British Malabar Coast. Thereupon he shipped 2,520 Bengal maunds of salt on board the Futtamaree Sacree, Tindal Rama, Register No. 4,319, 1,368 maunds of salt on board the Futtamaree or Sowalla Duria Bahadoor, Tindal Govind, Register No. 1,438, and 648 maunds of salt on board the Futtamaree Mahadeo, Tindal Bhima Register, No. 3,860, all bound for Calicut on the Malabar Coast, and 2,100 maunds of salt on board the Futtamaree Savai Fattaykher, Tindal Dama, Register No. 4,208, bound for Cannanore on the Malabar Coast.

2. The said vessel Sacree, Tindal Rama, which conveyed 2,520 maunds of salt reached the Port of Calicut on the beginning of January 1878, and discharged the salt on the wharf of the said port, and subsequently the Collector of Salt Revenue there demanded additional duty of 11 annas per maund, and would not allow the removal of the salt from the wharf unless such duty was paid, and there the salt now remains.

3. We are informed by our client that the duty on salt exported from Bombay for the Malabar Coast is always paid in Bombay before the removal of the salt from the salt-works; and in no case is the duty paid or levied at the Malabar Coast on salt exported from Bombay; now our client having duly paid the duty in Bombay and obtained permission for the removal of the salt from the salt-works and actually removed and exported the same before the passing of the new Salt Act of 1877 is not liable to pay any further or additional duty on this salt; and we submit the Salt Collector at Calicut is in error in detaining our client's salt and in demanding an additional duty thereon; we are, therefore, instructed to request you to consider the matter and issue necessary directions to the Collector of Salt Revenue or other officer at Calicut to allow our client's Agent at that place to remove the said salt without payment of any additional duty thereon.

4. And we are instructed to give you notice that if the request herein contained be not complied with within two weeks from the receipt hereof, our instructions are to take legal proceedings against the Government.

Proceedings of the Madras Government, Revenue Department, dated 8th February 1878, No. 195.
Read the following papers:—

Letter from Messrs. Lynch and Tobin, Solicitors, High Court, Bombay, dated 14th January 1878.

ABSTRACT.—Stating that the Salt Revenue Officer at Calicut detained their client's salt for not paying additional duty, and requesting to issue instructions for the removal without payment of the additional duty.

Proceedings of the Board of Revenue, dated 18th January 1878, No. 160.

ABSTRACT.—Referring to the Collector of Malabar for very early report Government endorsement on Bombay High Court Solicitors' letter, requesting the issue of directions for the removal of their client's salt from Calicut Port.

Proceedings of the Board of Revenue, dated 30th January 1878, No. 250.

ABSTRACT.—Submitting explanation from Collector of Malabar on letter from High Court Solicitors, complaining detention of their client's salt for non-payment of additional duty.

Letter from the Government Solicitor, Madras, dated 5th February 1878, No. 58.

ABSTRACT.—Forwarding a copy of the Acting Advocate-General's opinion stating that the enhanced rate of Customs duties demanded in this case was properly demanded, and that the Solicitors of Mr. Hurry Banjee, of Bombay, must be left to take whatever course they may see fit on behalf of their client.

THE Governor in Council accepts the opinion of the Board of Revenue, concurred in by the Acting Advocate-General, as to claim put forward by the Solicitors of Mr. Hurry Banjee, merchant of Bombay.

2. The Collector will be directed to realise the duty in due course. There is no reason for any remission.

(True Extract.)

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

To Messrs. Lynch and Tobin,
Solicitors, High Court, Bombay.

(True Copies.)

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

Exd. F. R. Bantleman.

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REVENUE DEPARTMENT,
OOTACAMUND,
29th April 1878.

No. 63

No. 269.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF REVENUE,
AGRICULTURE, AND COMMERCE.

Separate Revenue, No. 29.

Salt.

Imported into Malabar subsequently to the date when Act XVIII of 1877 came into force.

2. The action of the district authorities in this matter and the grounds on which it met with support are fully set forth in the accompanying Proceedings of this Government, to which I refer to invite attention.

Procs., 8th Feb. 1878, No. 195.

I have the honor to be,

Sir,

Your most obedient servant,

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

Exd. F. R. Bantleman.

Agriculture (1878) Department.

Government of Fort St. George.

Dated 29th April 1878. } No. 634.
Received. } Enclosures
5 Spare Copies

D. No. Progs.
L. No. No. 269.

Under C. N. 6550/79

N. 268 11/2

FORWARDING petition from one Harry Bunjee,
of Bombay, complaining of the levy of the
enhanced rate of duty on certain salt imported
into Malabar subsequently to introduction of Act
XVIII of 1877, together with Government Pro-
ceedings in the matter.

2

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Revenue Department

Proceedings of the Madras Government.

Read the following papers:-

Letter from Messrs. Lynch & Tobin,
Solicitors, High Court, Bombay, dated
14th January 1878, stating that the
Salt Revenue Officer at Calicut de-
tained their clients salt for not paying
additional duty and requesting to issue
instructions for the removal without
payment of the additional duty.

Proc Board of Rev. dated 18th
Jan'y. /78 at N^o. 160 referring to the Collec-
tor of Malabar for very early report Govt.
endorsement on Bombay High Court
Solicitors letter requesting the issue of
directions for the removal of their
clients salt from Calicut port.

Do d/30th Jan'y. /78 at N^o. 250
submitting explanation from Collec-
tor of Malabar on letter from High
Court Solicitors complaining
detention of their clients salt for

S. M. Bar. 1/78

Govt of India praying
for orders to the Govt
of Madras to direct
the collector of Malabar
to cancel the guarantee
obtained from his agent
for payment of the
additional duty on
salt imported into Calicut
or to refund the
amount of excess
duty if recovered pending
the disposal of this
Memorial

Government of Madras.

Revenue DEPARTMENT.

Petition No. 625 of 1878.

From Hurry Bhunjee

through Messrs Lynch

Occupation and Tobin

Solicitors, Bombay

Village

Talook

District

Dated 12th March 1878

Received 15th March 1878

Rec'd do do

Enclosures

ABSTRACT.

Submits for transmission
a Memorial to the

C. 17-4-78 R. 29-4-78.

Recd 17/4/78

N^o 625 of 78 D^o 12 March 1878.

Recd 15th do.

From Hurry Bhunjee through

Messrs Lynch and

Tobin, Solicitors, Bombay

Submits for trans-

mission a Memorial to the

Government of India pray-

ing for orders to the Govt

of Madras to direct the

collector of Malabar to

cancel the guarantee

obtained from his agent

for payment of the

additional duty on salt

imported into Calicut, or

to the date on which Act

to refund the amount of

excess duty if recovered

pending the disposal of

this Memorial.

Kindly send up
my name

As 8th Feb 1878

Sub

To the Secretary to the

Government of India.

Sir,

I am directed to

forward the accompanying

petition presented on behalf

of one Hurry Bhunjee of Bombay

complaining of the levy of

the enhanced rate of duty

on certain salt imported

634/7

6 copies on 11 March 1878

Sub

To

the

Secretary

to the

Government

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Sir,

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29/4
JPM

Initial the Draft to
save time - Mr. I do
reference the Resolutions
17/4 W.A.

for the in
the accomp
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ment to which I am
invite attention.

L

W.A.

29 April 1878

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Case