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(MADRAS RECORD OFFICE)

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	3412	Press
B.P. No.		Mis.
Dated	4-7-1885	196

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following paper:—

From H. G. TURNER, Esq., Agent to the Governor, Vizagapatam, to the Chief Secretary to Government, dated Vizagapatam, 22nd May 1885, No. 660.

With reference to Bill No. 5 of 1884 to consolidate and amend the Abkari law of the Presidency of Madras, I have the honor to make the following observations.

2. Section 1, clause 2, extends the Act to the whole of the Madras Presidency, and section 3 repeals the existing enactments in all their entirety. The Bill, when it becomes law, will therefore be applicable to the scheduled districts.

3. Again, section 4 of the Bill contemplates the withdrawal of the powers of Collectors in respect of the Abkari revenue, and the placing of them in the hands of the Commissioner of Excise, or of any other officer especially appointed under clause 6.

4. Thus, in the Agency tracts, the control of the Abkari administration might be vested in an officer other than the Agent to the Governor. This, I beg to submit, is opposed to, and subversive of the principle and policy on which the Agency tracts were constituted under Act XXIV of 1839, viz., the concentration of all authority—civil, criminal, revenue, and police—in one officer, the Collector, to be henceforth called the Agent to the Governor, so that his power in those tracts might be general, complete, and undivided.

5. Act XXIV of 1839, and the rules subsequently drawn up by Government and revised by them some four or five years ago, were all framed so as to keep this object of centralising all authority in the Agent prominently in the position that it was intended to occupy from the first. Now this concentration of authority in one officer must fall to the ground, if the proposed transfer of control over the Abkari administration be carried out, and such a measure would be a reversal of the policy of Government.

6. The Agent is looked to for the preservation of peace and order in the Agency, and I do not know how he can do this, unless his authority is complete, which it could not be, if he be deprived of control over a branch of the administration. He can have no control over the officers administering the Abkari revenue, or over the Abkari preventive establishment, which the Commissioner probably proposes to entertain when he takes effective charge of the department.

7. The Government are aware that the late Rumpa disturbances had their origin in the endeavours made to extend to the hill tracts the Abkari system in force in the low country. The salt law extends to the Agency tracts, owing probably to an oversight at the time of framing the law, but Government have since recognised the necessity of a different action and directed that its provisions should not be enforced there. Such an order is possible in regard to salt revenue, for there are no salt producing tracts in the Agency, and all the salt required for consumption there is

brought from the littoral tracts of the district. The case is quite different as regards Abkari. The revenue from this source in the Agency tracts amounts to no less than Rs. 80,500. All this revenue cannot be collected without an Act, and the operation of the new Abkari Act cannot therefore be suspended as the Salt Act has been. There is an Abkari shop or still in almost every village and almost every hillman drinks either toddy or arrack. The existing

Gunupur and Rayagada	Rs. 46,000
Koraput	13,200
Golgonda Agency	1,300
Jeyapore, Nowrangapur, and Malakangiri	20,000
Total	80,500

Abkari Act is only nominally in force in these tracts, its hard and fast provisions having been to a large extent relaxed. Here toddy and fermented beer are unexcised drinks. There are no restrictions of monopoly on these beverages as there are in the plains. Again, every shopkeeper is a distiller and manufactures and sells liquor wherever he pleases. Though this is contrary to the provisions of the Abkari Act and of the party's license, the practice is not interfered with. Unlike in the plains, there are no restrictions as to the price or strength of liquor sold; nor is any pass required for the transport of liquor from place to place. Any attempt to enforce the strict provisions of the new Abkari Act would undoubtedly tend to oppression, and consequently to discontent amongst the hill people, and the Agent, who is responsible for the preservation of peace or order amongst these mountain tribes, will be unable efficiently to discharge this important duty if his control over the administration of the Abkari be taken away and placed in the hands of an independent officer.

8. Under these circumstances, I cannot too strongly deprecate the proposed change so far as it affects the Agency tracts. To obviate these difficulties, I would respectfully suggest that the Bill may be so modified as to make it inapplicable to scheduled districts.

9. This can be done by the addition of the words "except the scheduled districts as defined in Act XIV of 1874" to the second clause of section 1, and the words "except in so far as it affects the scheduled districts as defined in Act XV of 1874" to the remark in column 3 of the schedule against Act III of 1864 (Madras) and Act V of 1879 (Madras). These modifications will render the Bill inapplicable to the scheduled tracts, and will keep the existing enactments in force there.

10. Another way of meeting this difficulty would be for Government to refrain from exercising the powers conferred on them by section 4 (which are only enabling) so far as the scheduled tracts are concerned, but the former mode is obviously the more desirable one, and I therefore respectfully beg to suggest that the modifications recommended above be made in the Bill now before the Legislative Council.

ORDER—dated 22nd June 1885, No. 1618, Judicial.

Steps will be taken to amend the draft Bill so as to leave the present system of Abkari administration in the Agency tracts undisturbed.

(True Extract.)

Chief Secretary.

To the Government Agent, Ganjam.
 " " Vizagapatam.
 " " Godavari.
 " Legislative department.
 " Revenue "

Exd. T. O'Connor.

22/9/97

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Return Report
No. 4/31
Govt. of 1885 Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 22nd June 1885, No. 1648.

JUNE.

Abkari Bill.

Directing that the draft — (No. 5 of 1884)
be so amended as to leave the present system
of Abkari administration in the Agency tracts
undisturbed.

No. 3412
Amended to the B.D.
So. Am. to the B.D.
2. Revenue
1/1/1885
3/1/1885