

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 252—

DATED 15th April.

[Despatch Abstract.]

Opium Vendor's Licence.

Approving and sanctioning the Board's proposal to add a fresh condition to the — make him liable to a fine not exceeding Rs 10 for petty offences.

BACK PAPERS.

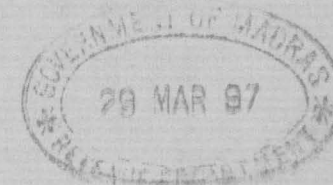
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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Revenue (1897) Department.

CURRENT No. 2752



The Hon Mr Bliss C.J.E.
The Hon Mr Grose C.J.E.

Separate Rev. No 24.

Order No 252 of 15-4-97

The Board's proposal is approved

Sanctioned

From the Secretary to the Commission
Sons, Salt, alkali and Sifapke
Revenue

This No. 1081

Dated 18th March 1897

Received 29th

Registered 29th

Enclosures

Spare copies

SUBJECT.

To the Board SR. des 28-4-97

at R.

64/97

Note At present, the only means of
punishing Opium Vendors for petty offences
are forfeiture of the license & (2) fining
the former in which case continuance or
priority has to be proved. The Board proposes to sanction the insertion of a
to insert a new condition making the license provision in licenses for the
liable to a fine not exceeding Rs 10 for petty vend of opium and intoxicating
offences at the option of the Collector instead
of forfeiture of the license. Under the
proposed condition continuance &
priority need not be proved before
fining is resorted to.

at R.

64/97

proposed condition continuance &
priority need not be proved before
fining is resorted to.

9/4/97

1897-1898

Requesting Government
to sanction the insertion of a
provision in licenses for the
vend of opium and intoxicating
drugs prepared therefrom, for
the imposition of fines for
petty offences by the vendors.

14 20/2/97

at R.

1897-1898

BACK PAPERS.

G.O.	No.	Department.	Date.
60	376-77	820-4-72	

FURTHER PAPERS.

G.O.	No.	Department.	Date.



Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 18th March, 1897.

His No. 1081

Read the following letter from the Deputy Commissioner, Central Division, No 6117 dated 30th December, 1896:-

"The Inspector, Madras Town Circle, calls my attention to the fact that, where as it is very necessary to have complete control over opium vendors in the Madras Town as well as over the farmers, the only means of punishing them for petty offences reserved by the Department under existing conditions of their license are forfeiture of the license (Conditions XI and XII) which is too severe, and fining the farmer (Condition 32 of the farmer's license) in which case connivance or privacy has to be proved, which is generally impossible. He therefore suggests that a fresh condition be added to the vendors' license making him liable to

to fine not exceeding Rs 10 for petty offences. I think the Suggestion is a good one, and if it is approved by the Board, would suggest that a Condition to this effect be added in the form of license embodied in the notification for the next lease."

Resolution

The Board begs to bring to the notice of Government that it is impossible to control opium vendors effectually, in the absence of a provision in their licenses providing for the imposition of fines for petty offences committed by them. The present rules permit only the Cancellation of the license, which, in many cases, is too severe a punishment. It therefore suggests that a fresh Condition be added to the vendor's license making him liable to a fine not exceeding Rs 10, for petty offences.

2. Under Condition 3.2 of the opium Vendor's license petty offences can be punished by fine, provided they are committed either by the licensee or by any person in his employment but there is no means of exercising control over shopkeepers except

except by the Cancellation of their licenses. The Board therefore requests that Government will be pleased to sanction under Rules XXXI and XXXVI the substitution of the following for Condition XV of forms III and V and Condition XIV of forms IV and VI appended to the opium rules:—

"That in case of any infringement by the holders of this license of any of the above articles or of any of the Conditions imposed by the opium Act, 1878, or by the rules made thereunder, it shall be competent to the Collector to Cancel this license and any other license or licenses that the holder may have taken out for the sale of opium, or poppy heads, or for the manufacture or sale of any intoxicating drug prepared from the poppy. Provided that the Collector may instead of Cancelling the licenses give the licensee the option of paying such fine not exceeding Rs 10 as he may see fit to impose.

(True Copy and Extract)

[Signature]
26/2/97

To the Secretary to Government,

Revenue Department
Deputy Commissioners, Central Division

[Signature]

Assistant Secretary

Government {1897} of Madras.
REVENUE.

Recd.	} 1897.	Enclosures
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G.O., No. 252, 15th April 1897.

APRIL.

Opium Vendor's License.

Approving and sanctioning the Board's proposal to add a fresh condition to the — making him liable to a fine not exceeding Rs. 10 for petty offences.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 1081, dated 18th March 1897:—

Read—the following letter from the Deputy Commissioner, Central Division, to the Secretary to the Board of Revenue (Separate Revenue), dated 30th December 1896, No. 6117:—

“The Inspector, Madras Town Circle, calls my attention to the fact that, whereas it is very necessary to have complete control over opium vendors in the Madras Town as well as over the farmer, the only means of punishing them for petty offences reserved by the department under the existing conditions of their license are forfeiture of the license (conditions XI and XII) which is too severe, and fining the farmer (condition 32 of the farmer's license) in which case connivance or privity has to be proved, which is generally impossible. He therefore suggests that a fresh condition be added to the vendor's license making him liable to fine not exceeding Rs. 10 for petty offences. I think the suggestion is a good one, and, if it is approved by the Board, would suggest that a condition to this effect be added in the form of license embodied in the notification for the next lease.”

Resolution—Mis. No. 1081, dated 18th March 1897.

The Board begs to bring to the notice of Government that it is impossible to control opium vendors effectually in the absence of a provision in their licenses providing for the imposition of fines for petty offences committed by them. The present rules permit only the cancellation of the license which, in many cases, is too severe a punishment. It therefore suggests that a fresh condition be added to the vendor's license making him liable to a fine not exceeding Rs. 10 for petty offences.

2. Under condition 32 of the opium vend farmer's license, petty offences can be punished by fine, provided they are committed either by the licensee or by any person in his employment, but there is no means of exercising control over shopkeepers except by the cancellation of their licenses. The Board therefore requests that Government will be pleased to sanction under Rules XXXI and XXXVI the substitution of the following for condition XV of forms III and V and condition XII of forms IV and VI appended to the opium rules:—

“That in case of any infringement by the holders of this license of any of the above articles or of any of the conditions imposed by the Opium Act, 1878, or by the rules made thereunder, it shall be competent to the Collector to cancel this license and any other license or licenses that the holder may have taken out for the sale of opium, or poppy heads, or for the manufacture or sale of any intoxicating drug prepared from the poppy. Provided that the Collector may, instead of cancelling the licenses, give the licensee the option of paying such fine not exceeding Rs. 10 as he may see fit to impose.

(True Copy and Extract.)

(Signed)

EDMUND MILLET,
Assistant Secretary.

To the Secretary to Government, Revenue Department.
Deputy Commissioner, Central Division.

ORDER—No. 252, Revenue, dated 15th April 1897.

Separate Revenue No. 24.

The Board's proposal is approved and sanctioned.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).

Exd. Md. Pahlavan.

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LATE

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LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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