

urgent.
Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 202

DATED 14 Jan'y 1897.

[Despatch Abstract.]

*Approving of recommendation to regulate
the issue of foreign liquor licenses for the
year 1897-98.*

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1896) Department.

CURRENT No. 895



From the Secretary to the Commissioner
of Salt, Alkai and Separate Revenue
Madras

Order

Press No. 469

Dated 22? November 1896

Received

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SUBJECT

Submitting to Government Board
proposals for regulating the
issue of foreign liquor licenses
for the year 1897-98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

BOARD OF REVENUE (SEPARATE REVENUE), No. 469, 22ND NOVEMBER 1896.

PROCEEDINGS OF THE BOARD OF REVENUE (SEPARATE REVENUE).

RESOLUTION—No. 469, dated 22nd November 1896.

The Board begs leave to submit its report on the working of the foreign liquor rules during the current year and its proposals for the next.

2. The principal changes sanctioned for the current year in G.O., No. 10, Revenue, dated 11th January 1896, were—

- (a) the raising of the fee for retail licenses at Wellington in the Nilgiri district from Rs. 50 to Rs. 100 each, as in the towns of Ootacamund and Coonoor;
- (b) the opening of two beer taverns at Salem and Suramangalam in the Salem district as an experimental measure; and
- (c) the expunging from the retail license of the clause prohibiting the possession of liquor by the licensee in bottles of less than a reputed pint in capacity.

3. Almost all the Collectors report that the rules have worked satisfactorily and that no material alterations are called for in them for the coming year. A few of the Collectors and the Deputy Commissioner, Central Division, however, have made certain minor suggestions which will be considered below.

4. The Collector of Kistna recommends the abolition of the foreign liquor tavern at Répalle as it has not fetched any bids during the past two years, and the opening of two retail shops, one at the important centre of Guntúr where there are only two such shops at present, and the other at Gurazala, the new head-quarters of the Tahsildar, Palnad taluk. The Collector's recommendations are approved. (a)

5. The Deputy Commissioner, Central Division, reports that there has been an increase in the tavern rentals, which is the result of raising the maximum limit of sale for removal from the premises from one pint to one quart,—a concession which has apparently more than counterbalanced the effect produced by reducing the fees for retail licenses, the number of which taken out, has actually diminished. The Inspector, Madras Town Circle, suspects that this increase may be in part due to the opportunities now afforded for bottling adulterated or inferior liquors, affixing misleading or fraudulently obtained labels to the bottles and passing their contents off as of superior quality. He desires to place restrictions on the working of the concession, especially in the case of persons holding both tavern and retail licenses, by prohibiting the bottling of liquor by tavern-keepers who also hold retail licenses. The Deputy Commissioner, however, rightly considers that the matter is one for the consumer and for the firms whose labels are counterfeited to attend to, rather than for Government, and, in lieu of the Inspector's proposal, suggests, but not without hesitation, the partial remedy that a tavern-keeper should be prohibited from holding a retail license. The Board, however, does not consider that sufficient reason has been shown for adopting this proposal at present. Another alternative suggested by the Deputy Commissioner is the insertion of a condition to the effect that all liquor bottled in India should bear a label showing when and by whom it was bottled. Under the existing rules, all spirits manufactured and flavoured, coloured, blended or compounded in India have to be labelled or branded with the words "spirit manufactured in India." The Board considers that this affords all reasonable protection to the public in the case of locally-manufactured spirits. As regards spirits imported in bulk and bottled in this

Presidency, it has been ordered in G.O., Mis. No. 2221, Revenue, dated 6th June 1896, that for the ensuing lease the question of imposing some such condition as that in force in Bombay and Calcutta should be considered. Government is aware that in Calcutta no special form of label has been prescribed but that there is a condition in all licenses for the sale of imported liquors binding the vendors not to sell such liquors unless the bottle bears a label or capsule, or the cork is sealed with a seal showing prominently the name and style of the firm or shop by which, and the place at which, the liquor was bottled, as well as the country of manufacture; while in Bombay spirits imported from foreign countries and bottled locally, whether in Customs Bonded Warehouses or elsewhere, are required to bear labels giving the name of the bottler in full as entered in his license and stating that the liquor was bottled by him in Bombay—vide Board's Proceedings (Separate Revenue), Mis. Nos. 1219, dated 20th March, and 1874, dated 6th May 1896. The Board is of opinion that a condition may be inserted in licenses should be shown on a label affixed to the bottle in the case of imported liquors bottled locally. It thinks it desirable that the country of origin should be indicated and prefers having the details on a label to on a cork or capsule.

6. Condition No. 9 of the foreign liquor retail license runs thus:—

Every bottle, jar and cask containing spirits manufactured, and flavoured, coloured, blended or compounded in India and received into or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "spirit manufactured in India."

To give effect to its present proposal the Board considers that the foregoing condition (and the corresponding conditions of the other licenses) may be modified as follows:—

"Every bottle, jar and cask containing spirits manufactured and flavoured, coloured or compounded in India and received into or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "spirit manufactured in India." All spirits imported in bulk and bottled in the Presidency received into or kept for sale in your shop or depôt shall bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license, and the place of bottling."

The expression "blended" has been omitted in the foregoing condition as blending does not amount to manufacture as defined in clause 18 of section 3 of Act I of 1886.

7. The Deputy Commissioner further proposes to prohibit the sale of Colombo arrack in refreshment rooms as there is some risk of the lower class of refreshment rooms competing with taverns. The Board considers that this would amount to imposing an arbitrary restriction on the sale of what, after all, is as much foreign liquor as any other imported spirit. Moreover, during the past year, only two such licenses were issued in Madras and it seems inadvisable to make any alteration in their condition considering the recent enhancement in the fee unless strong evidence of its necessity is forthcoming.

8. The question of determining the sites of taverns, alluded to in paragraph 11 of Board's Proceedings (Separate Revenue), No. 561, dated 9th December 1895, also requires consideration. The Deputy Commissioner reports that within certain of the existing notified limits of taverns there is only one unobjectionable site, the consequence of which is that the owner buys in the tavern at a yearly decreasing rental. He raises the question of whether the refusal of the Commissioner of Police to approve an extension of the limits is to be regarded as final, as he does not consider that there are sufficient grounds for accepting the very considerable loss in revenue that results from the existing practice. The question is an important one but the materials at the disposal of the Board are not sufficient to enable it to ask for orders at present. The Deputy Commissioner will be requested to support his statements by quoting facts and figures and to show how far the revenue is being affected as represented by him by the existing procedure.

9. The Collector of Chingleput recommends that the tavern newly opened at Madurantakam during the current year may be continued for the next year. The Board has no objection to this. The Collector of Coimbatore reports that advantage is taken of the present form of the railway and dâk line refreshment room license

(F.L. 8) to make travellers use the vehicles of the line which has taken out the license by refusing refreshments to passengers by other lines. He therefore recommends the substitution of the words, "by dâk carriages between . . . and . . ." for "by the . . . dâk line" in condition No. 1 of the license. The Board is unable to accept the Collector's recommendation. From the wording of paragraph 2 V (a) of the foreign liquor notification and condition No. 1 of the license, the intention of Government appears to have been to allow the company taking out the license to restrict sales to their own passengers and this seems only right and proper. Such refreshment rooms probably only pay for their expenses indirectly and it would be hardly fair to compel the owners of a dâk line sufficiently enterprising to incur the expenditure and risk of starting one to give travellers by other lines the same advantages as those by their own. Such rooms appear to the Board to be necessarily of a semi-private nature.

10. The Collector of Salem proposes that the beer taverns sanctioned at Salem and Suramangalam as an experimental measure may be continued. The recommendation is approved.

11. The Collector of Malabar submits for consideration the proposal of the Inspector, Tellicherry Circle, to insert a condition in the foreign liquor licenses requiring persons holding licenses for two or more descriptions of shop in the same premises to keep the stock of liquor under each license in different portions of the building on the ground that the existing rule as to maintaining separate accounts under each license "is not satisfactory and sufficiently preventive of malpractices." It has not been explained what the malpractices referred to are and whether any harm to the revenue can possibly result from more than one kind of foreign liquor shop being held in the same building. The Board cannot therefore accept the proposal.

12. After the orders of Government are received on these Proceedings, the Board will, in virtue of the power conferred on it in G.O., No. 327, Revenue, dated 13th July 1896, make the necessary alterations in the notification regulating the issue of foreign liquor licenses in the Presidency, hitherto published by Government, and will publish the same in the *Fort St. George Gazette*. The proposals sanctioned in G.O., Mis. No. 3487, Revenue, dated 28th August 1896, regarding the issue of licenses to Chemists and Druggists for the sale of rectified spirits, will also be provided for in the notification.

(True Extract.)

(Signed) N. S. BRODIE,
Acting Secretary.

(True Copy.) *[Signature]*
Assistant Secretary.

To the Secretary to Government, Revenue Department,
with Collector's and Central Division Deputy
Commissioner's reports in original.

Copy to all Collectors.
" all Deputy Commissioners and Assistant Commissioners
of Salt, Abkâri and Customs Department.
" the Inspector, Madras Town Circle.

REVENUE DEPARTMENT.

1896.

Board of Revenue

(Separate Revenue),

MADRAS.

Printed December 4th.

Proceedings, No. 469, 22nd November 1896.

Submitting to Government Board's proposals
for regulating the issue of foreign liquor licenses
for the year 1897-98.

Sp 18/11

The Hon. Mr. Oslin C. J. E.

C. No. 2955.

For Orders

In the current read above
the Board of Rev. reports that the
rules for the regulation of the sale
of foreign liquor have worked sa-
tisfactorily and that no altera-
tions are called for therein for the
year 1897-8 except in one in-
stance as shown below.

2. As directed in G.O. No 2221
of 6 June 1896, the Board proposes
to make it a rule that in the case
of spirits imported and bottled in
India, the country of origin, the name
of the bottler and the place of bottling
should be indicated on the labels
affixed to the bottles. It will ^{enforce}
this requirement by enlarging con-
dition no. 9 of the retail licenses
as under:

" All spirits imported in
bulk and bottled in the Presy.
received into or kept for sale
in your shop or depot shall be a

a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license and the place of bottling.

3. The only other changes are:

(a) The abolition of the foreign liquor tavern at Rapalle, and the opening of two retail shops at Guntur and Gudur; and

(b) The continuance of the tavern recently opened at Madhavakam and of the beer taverns opened experimentally at Salem and Suramangalam.

4. The Board has negatived the following proposals for the reasons shown against each:

Proposals:

(a) Tavern keepers holding retail licenses should be prohibited from bottling liquor.

(b) Tavern keepers should be prohibited from holding retail licenses.

(c) The sale of Colombo arrack in refreshment rooms should be prohibited.

(d) The holders of Railway and

Reasons:

The matter should be left to the trader and the consumer.

Sufficient reason has not been shown for accepting it.

Colombo arrack is as much foreign liquor as any other imported spirit and strong proof of the necessity for any alteration is not forthcoming.

Such an order will not be fair.

It is not clear what malpractices are facilitated by the absence of such a restriction.

dark line refreshment rooms licenses should be required to issue liquor to passengers by lines other than their own.

(e) Persons holding licenses for two or more descriptions of shops in the same premises, should be made to keep their stocks under each license in a different portion of the building.

5. The Board has called for a further report regarding the sites of taverns in Madras.

6. The following draft G.O. is submitted for approval:

G.O. No. 202 of 14th Jan'y 1897.

The Board's recommendations are approved.

KD
11/1/97

11/1/97

The Secy. S.R.

with Encls. ret'd.

16.1.97