Revenue (1898) Department.

PRESS SERIES.

G.O., Nos 109-110

Dated 23rd February

[Despatch Abstract.]

Forwd to the Govt of India for approval a draft notification for exempting the contract Mail steamers plying between Tuticorin & Colombo from certain restrictions applicable to vessels engaged in trade with foreign ports.

BACK PAPERS.

| No. | No. | Enclosure. | Date. | No. | No. | Enclosure. | Date. |
|---|---|---|---|---|---|---|---|
| | | | | | | | |

FURTHER PAPERS.

| No. | To. | Letter. | Date. | No. | Enclosure. | Date. |
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# Revenue (1897) Department.

**CURRENT No.** 10695

(Public)

Financial

Separate Revenue

**From**
The Secretary to the Commissioners of Salt, Abkari and Separate Revenue. Madras.

**Order**

Mis No. 5319.

***Dated*** 18th December 1897.

***Received*** 11 "

***Registered*** 13 "

***Enclosures*** 4

***Spare copies***

## SUBJECT.

Submitting for Government a draft Notification exempting the Contract mail Steamers plying between Tuticorin and Colombo from certain restrictions applicable to Vessels engaged in Trade with Foreign Countries

BACK PAPERS.

| G.O. | No. | Department. | Date. |
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FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
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Letter from the Collector of Tinnevelly,
Ref: on Cur: No. 208 of 1894, dated 17th September 1897.

Tinnevelly Sub Collector's Office
Dated 26th Aug: 1897.

Ref: A on Cur: No. 1071/97
Collector.

From

P. S. V. Rice Esquire,
Ag: Sub Collector, Tinnevelly.

To

The Collector of Tinnevelly.

Sir,

Your reference Cur: No. 208/(89) JB Rp dated 12-7-97 on Board's reference on J. R. No. 7218 4-7-97 I have the honour to report -

2. There cannot be any doubt that under the rules the two steamers plying between Tuticorin and Colombo are not entitled to a General Pass. The form of the pass shows that it applies only to

6. Customs ports and Rule defined

"Customs port", Colombo does not fall within that definition.

3. Manifests have to be sent by post (vide rule 13) but since these steamers carry the mails, they must, as Mr. Marshall remarks, carry their own manifests. The boat notes, Mr. Marshall says, are sent to the Steamer Agents. The Sea Custom Superintendent explains that as "the extract from the Cargo book, ie, the import manifest almost invariably accompanies the goods ashore "the rule regarding boat notes is not insisted on" as the manifests are produced at the Custom house within 24 hours." This is not very clear. The extract from the Cargo book is the manifest and one is left to infer that though it accompanies the good ashore it is sent to the Steamer agents first. This arrangement was objectionable, but it seems that the Superintendent



tendent is able to take other measures now that he has an assistant. The great drawback is the want of English knowing peons.

4. Both the Superintendent and the Port Officer point out that if the General Pass is taken away the mail are liable to be delayed: the two great advantages conferred by the General pass are (1) the permission to break bulk on arrival (2) the passing of export applications in anticipation of the ship's arrival. Captain Baker thinks that it would cause great delay if Sections 8, 54, 55 and 61 of the Sea Customs act were put into force but Considers that Section 66 provides for the Case. I am unable to agree with him. Section 66 refers distinctly to Sections 64 and 65 which relate to port clearance only. It does not refer to Sections 54 and 58. I observe, however,

that

that Section 59 provides for the grant of a Special pass. I am unable to discover what rules have been framed under the 2nd para of that Section. Section 59 and 66 however seem to be intended to meet isolated Cases. To grant a Special pass always or to require Security always under Section 66 seems to me to be very much the same as granting a general pass.

5. The fact is that the act does not meet the Case at all. Colombo is the port of Ceylon which is a Crown Colony within a few hours sail from India, and as it is also one of the Calling Stations for Steamers Sailing to Madras and Calcutta from Europe, it is out of the question to declare it a Customs port. These little Steamers carry very little Cargo and they often arrive in ballast. The object of them is to carry the mails and to import emigrants into Ceylon.

Trade



Trade is a secondary Consideration.

6. I have said, that the act does not meet the Case. I have pointed out that the Continual use of Sections 59 and 66 amounts to a general pass and at any rate Such a remedy does not meet Mr. Marshall's objections. But if Section 66 does not apply, then Section 63 applies. But - under Section 63 the master must apply for port Clearence 24 hours before the Vessel departs. The Vessel only stays in Tuticorin about 8 hours or So. This is a reductio ad absurdum.

7. The only Course I can Suggest is that English Knowing peons be employed if necessary on higher pay (on this I am in Correspondence with you) and that imports be Carefully Checked with boat notes immediately on arrival. It is quite essential that the Steamer break bulk on Arrival and that no

delay

delay take place in granting port clearance. ——— I do not see any remedy except to make the general pass rule applicable to the Special Case and to insist on closer supervision on landing.

I have the honour to be &c
(Signed) P. S. V. Rice,
Ag: Sub Collector.

(True Copy)

Submitted to the Secretary to the Commissioner of Salt, Abkari and Separate Revenue, in reply to Ref: on G.R. No. 721 of 1897 dated 4th July 1897 (the enclosure of which is returned.

2. The Steamers that are now plying between Colombo and Tuticorin are the "Hindu" and the "Arka" of which the latter has and the former, as far as I can ascertain has not a general pass



pass. Other small Steamers are also employed from time to time.

3. As regards the Checking of goods with import manifest, it will be arranged to be done under the supervision of the Assistant Sea Customs Superintendent the Subject of detaining English Mail Steamers at the Sea Customs office is under Correspondence.

4. I agree with the Sub Collector in his recommendation contained in the last sentence of para 4 of his letter. Since the Sub Collector's letter was written, Board's Proceedings No: 3840 dated 3rd September 189) has been received.

(Signed)

Dy Collector.

Tuticorin Collector's office
Dated 17th Sept: 189) 3.

(True Copy)

A Rintoul Jun Cs
Ag: Assistant Secretary.

Letter from Adam Meactaggart & Co., Agents to British India Steam Navigation Company, Tuticorin, No. G 19/377, dated 24th August 1897.

" We have the honour to enclose Copy of letter No. 665/8C. of 1897 dated 3rd inst. received from the Superintendent of Customs here.

+ Copy attached

We beg to point out that the daily Steamers plying between this port and Colombo, with mails, passengers and Cargo have heretofore had General Passes granted to them by the Collector of Sea Customs, Meadras, and have been entered and Cleared under the said General Passes.

We are therefore at a loss to understand why these Steamers holding as they do General Passes are now without warning to be treated as Coming from a Foreign port.

As you are doubtless aware that Steamers on this line are under Contract with the Government of India to main-

tain

tain a daily mail Service arriving here at 8 A.M. and Sailing again at 5 p.m. and if they are to be treated as vessels arriving from a Foreign port it will be impossible for them to Sail at the appointed time, and so fulfil the mail Contract.

We have therefore the honour to request that you will instruct the Superintendent of Sea Customs here to allow the Mail Steamers on the Tuticorin - Colombo line to be worked under the terms of the General Passes held by them, as has been always done hitherto."

(True Copy)

A Kuthumanam Pillai
Ag. Assistant Secretary.

D
8&h
10.12.97

2

Approved
Ref: Cur: No. 665/S.C. of 97. 7/12

Letter from the Superintendent, Sea Customs Tuticorin, to the Agents B.I.S.N.Co., Tuticorin.

"I have the honour to inform you that in the list of General Passes granted by the Collector of Sea Customs, Madras, received with his letter No. 5211 Q/21-7-97 it is stated that the General Pass is invalid in the Case of S.S. "Konra" if it plies between Colombo and Tuticorin. The S.S. "Henden" is not included in the list of General passes. I therefore think that the above proviso is applicable to all Steamers plying between these two ports and that they will have to be treated henceforward as those coming from foreign ports for purposes of Sea Customs Act."

(True Copy)

A Kuthumanam Pillai
Ag. Assistant Secretary.

D
8&h
10.12.97

9

Draft Notification.

Under the provisions of Section 13 of the Sea Customs Act VIII of 1878, the Governor General in Council is pleased to direct that all goods imported from or exported to Colombo to or from Tuticorin in Steamers plying between the two ports and Carrying Her Majesty's mails shall be treated as goods imported from or exported to a Customs port; in so far as to exempt Vessels Carrying them from the provisions of Sections 57, 58 and 61 of the said Act subject to the Condition that the Agents or owners shall bind themselves to abide by the General Pass rules and by such other Conditions as may be prescribed by the Chief Customs Authority of the Madras Presidency in modification

of

of any of the Clauses of the General Pass Rules or otherwise.

A Brahmanandam Iyengar
Ag Assistant Secretary

4
[illegible] 1895

10

REVENUE BOARD OFFICE MADRAS

# Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 1st December 1897.

No. Mis 5319.

Read letter from the Collector of Sea-Customs, Madras, No. 4205 Gs, dated 29th June 1897, submitting the explanation called for with reference to a note of Mr. T. G. Marshall's, as to why a General Pass has been granted to the S.S. "Amra" which plies daily between Tuticorin and Colombo.

Read also the Board's Reference thereon dated 4th July 1897, referring to the Collector of Tinnevelly, for report, certain correspondence regarding the grant of "General Pass" to the S.S. "Amra".

x Ogs attached. Read also letter from the Collector of Tinnevelly Ref: on Cur: No. 208 of 1897, dated 17th September 1897.

Read

Read also petition from Messrs. Adam-Ron Mactaggart and Co. Tuticorin Agents to British India Steam Navigation Company, No. 9 18/377, dated 24th August 1897. Copy attached

Read also letter from Messrs Binny and Co., Meadras, Agents to British Steam Navigation Co. in Meadras, dated 29th October 1897, stating that the Company's Steamers are frequently transferred and that those which are engaged in the Meadras Coasting trade should be provided with General Passes and that it is provided in the General pass that if the Steamer is not actualy engaged in the Coasting trade the pass becomes invalid, as seen in the Concluding paragraph of Form A.

Read also the following letter from Mr. F.G. Marshall, Assistant Commissioner on Special duty, dated Meadras 4th November 1897:-

"Referring to Board's Proceedings No. 3017 Rmtnc, dated 22nd October 1897,

I have the honour to state that the proposed notification will meet the requirements of the Steamers engaged in the trade between Tuticorin and Colombo, but I am decidedly of opinion that Clause 12 of the General Pass Rules should be altered for these particular Vessels and the Agents bound to file the Cesspat manifest and Shipping bills within 24 hours of the departure of the vessel. The modification will not entail any hardship on the Agents or Shipping Community for I ascertained, while in Tuticorin, that the masters sent their manifests to the Steamer office before sailing; but the Agents taking advantage of the rules did not file them until the prescribed period, 5 days, thus Causing a deal of

unnecessary

unnecessary delay in the Customs office"

× × × ×

Resolution :-

Mr. J.G. Marshall, the Assistant Commissioner on Special Customs duty, brought to the notice of the Board, after his visit to the Tuticorin Port, that the Contract mail steamer, the S.S. "Amra", plying between that port and Colombo was treated as a General Pass Steamer. Thereupon a Reference was made to the Collector of Sea Customs Madras, and the Collector of Tinnevelly therefore reported that he granted General Passes to 91 Steamers including the S.S. Amra, as Messrs Binny & Co., the Agents, stated that the steamers were solely engaged in the Coasting trade. He at the same time pointed out that the pass itself Contains a provision that it shall not be valid for any voyage which the vessel -

Carrying



Carrying it may make therwise than as a Coasting Vessel during the period of its Currency. The Collector of Tinnevelly reports that the daily steamers plying between Tuticorin and Colombo are the "Akbar" and the "Hindu", both of which are General Pass Steamers. He considers that the mails will be delayed if the Sea Customs Rules are strictly enforced and proposes that the General Pass Rules may be made applicable to these Steamers, which appear to be Changed frequently. The chief advantages claimed for this proposal are (1) permission to break bulk on arrival under the General Pass Rule 16 and (2) the passing of export applications in anticipation of the Ship's arrival under Rule 6.

2. Messrs. Binny and Co. also petitioned the Board to allow such of the

the Steamers as ply between Tuticorin and Colombo to be worked under the General Pass Rules as hitherto, and the Board has directed the Collector, Tinnevelly to instruct the Sea Customs Superintendent of Tuticorin not to make any change in the present practice till further orders.

3. The Board concurs in the Tinnevelly Collector's opinion stated above and accordingly submits a draft notification under Section 13 of the Sea-Customs Act for approval and submission to the Government of India in view to avoid the detention of the mails which will result from too strict an enforcement of the ordinary provisions of the Act. The notification declares that all goods imported from or exported to Colombo to or from Tuticorin and carried in the mail Steamers shall be treated as imported from or exported to a Customs port in so far as to exempt vessels carrying them from the provisions of Sections 57, 58 and 61 of the Sea Customs Act subject to the condition that the Agents or owners shall bind themselves to agree to abide by the General Pass Rules and by such other conditions as may be prescribed by the Chief Customs Authority of the Madras Presidency in modification of any of the Clauses of the General Pass Rules or otherwise.

(True Copy and Extract)

A Sinnaswamy Iyengar
Ag. Assistant Secretary.

To the Secretary to Government, Revenue Department, with a draft notification.
The Collector of Tinnevelly.
Messrs Binny and Co.

2nd Draft
10.12.57

[illegible] 10, [illegible]

[illegible] Government [illegible]

[illegible] of [illegible] notification under Sec. 14 of the [illegible] Act, 1-79 for submission to the Govt. of India.

2. The circumstances which [illegible] the notification necessary are explained below:-

Under sec. 37 of the Act, [illegible] oil [illegible] in any [illegible] upon the [illegible] to deliver a [illegible] and also to apply for entry of [illegible] inwards [illegible] an [illegible] [illegible]. It is only [illegible] these [illegible] have been complied with [illegible] in [illegible], in the [illegible] to [illegible] port, application for entry [illegible] and [illegible] it [illegible] port-clearance [illegible] [illegible] is, application for the clearance [illegible] (sections 41, [illegible] Act). It is pointed out in the current [illegible] these restrictions placed [illegible] or general [illegible] late or [illegible]ing [illegible] port [illegible] the oil [illegible] plying [illegible] [illegible] and [illegible] whe[illegible]

which
steyl at Jutiorin only 9 coun-
(page 5 of the Current flagsr.) It
is therefore proposed by the Board of Rev
relay, these rules should not be en-
forced and that the General Pass rule
applicable by ~~[illegible]~~ it,
ration will be found printed on pages
80 to 90 of the Collection of Rules under
the Sea Customs Act
should be made applicable to the case
of the mail steamers, the provisions of
these rules are that under rule (vi),
no coast arriving vessel touching, sto-
ping or passing by to be required, that
under rule (i), the vessel may be entered
outwards and subject to the provisions
in anticipation of non arrival for
conveniences of the rules are interested
of reference
as follows:-

Rule vi. "Vessels calling under a Gene-
ral Pass may be entered outwards and
outwards cleared granted in anticipation
of arrival."

Rule xvi. "At ports in the Bombay Pre-
sidency, the chief port of Cross except-
ed, discharge may be commenced as soon
as the vessel drops anchor."

These rules, however, are issued
before section 164 of the act are apply
only to coasting vessels. A coasting
vessel is defined in sec. 4(a) of the
Act as any vessel proceeding from one
Customs-port to another Customs-port.
Colaba being a Coast Customs
it is doubtful to be a Customs-port,
the General Pass Rules will not be ap-

Printed on pp 80-90 of the 'Notifications & Rules' under the Sea Customs Act.

when free cargo may be landed ... but no cargo from any foreign port ... except under the written authority of the proper officer of Customs".
S/R

applicable. The Board's proposal is therefore that Colaba may be declared to be a Customs-port and a notification under section 13 of the Act accordingly submitted. For decision as to whether Cross Island may be retained

3. Sections 59 and 66 of the Act no doubt relax the restrictions described in para 2 above in ~~isolated~~ individual cases; but as pointed out by the Sub-Collector (page 4 of the Current) the grant of a special pass under S. 59 and the taking of Security from the Ship's Agent ~~in every case~~ under S. 66 whenever the Contract Mail Steamer arrives at Tuticorin would be equivalent to the grant of a general pass.

KD 25/12/97 We may draft to the Govt of India as proposed
S/R 7.1.98

Please see draft to order and letter put up below.

KD 4/1/98 #17.
Please see draft for approval
S/R 7/1/98

C. 15/1/98

Print 2 copies
12/2/98

Sep. Rev. No 15.

1276

G. No. 10,695.

G.O., No 109 of 23rd Feby 1898.

The draft notification submitted by the Board of Revenue with its Proceedings read above is approved and will be forwarded to the Government of India.

2. Ordered that the following letter be addressed to the Government of India

To the Board of Revenue, Sep. Rev.

Desp. 2 8.2.98
30/N

Before despatch please see if the English Customs Act throws any light on the subject. They must have precisely the same difficulties there in regard to the steamers between Dover & Calais, Dover & Ostend, Weymouth & the Cbl islands & so on. Ignoring cases brought from the English Act, this can be written

KS
17/2/98

To Secy

The English Statutes have been looked up but they contain no provision dealing with the difficulty as far as the Office can see experienced in the case of the Mail steamers at Tuticorin.

KS
11/2/98

Issue the letter
8/2/98

Sep. Rev. No 16.

Desp. 28.2.98

1310

Letter. No 110

To the Secretary to the Government of India,

Finance & Commerce Department.

Sir,

I am directed to address you regarding the steamers running between Tuticorin & Colombo by the British India Steam Navigation Co: under a contract with the Government of India, to maintain a daily mail service between the two places.

2. It is reported by the Board of Revenue that the Steamers arrive at Tuticorin at 8,A.M. and sail again at 5 P . M. on the same day, and that

that a strict enforcement in their case of the ordinary provisions of the Sea Customs Act, 1878 would prevent their sailing at the appointed time. Under sec. 57 of the Act the master has on the arrival of his vessel at a Customs Port to deliver a manifest and to apply for her entry inwards. Until these preliminaries have been complied with and an order for entry has been obtained the vessel may not break bulk. Under sec 61 when the vessel is about to leave the port, application for her entry outwards must be made before any part of the export cargo can be put on board and a port clearance must be obtained before she departs, application for the clearance having to be made twenty four hours before the intended departure (Sections 59 and 66 of the Act, which contemplate relarations of the above restrictions in isolated cases only. The Board of Revenue proposes that the contract mail steamers should be brought within the scope of the general pass Rules published by it under section 10[illegible] of the Act. Rule 16 of these rules permits a vessel to discharge goods as soon as she drops anchor; while under rule 6 she may be entered outwards and shipping bills granted in anticipation of her arrival. But these rules, which were framed with reference to coasting vessels only, will not cover the present case until Colombo, which is a foreign

cannot be attributed to want of avoid the difficulty inasmuch as they are apparently intended to be used

Rule 16:- "At ports in the Madras Presidency, the chief port of Madras excepted, discharge may be commenced as soon as the vessel drops anchor, when free cargo may be landed…; but no cargo from any foreign port.... except under the written authority of the proper Officer of customs."

Rule 6 :-

Rule 6 :- "Vessels sailing under a general pass may be entered outwards & shipping bills granted in anticipation of arrival."

the Govt. approves the Board's recommendation and I am to



140

foreign port, is declared to be a "customs port" by a notification under section 13 of the Act. forward a draft notification for the purpose for the approval of the Government of India and publication in the Gazette of India.

KO
14/1/198

8/1 15/1/8

20/1

# Government {1898} of Madras.

## REVENUE.

*Recd.* {1898.} *Enclosures*

*Regd.* *Spare copies*

**G.O., No. 109, 23rd February 1898.**

## FEBRUARY.

### Mail Steamers.

Forwarding to the Government of India, for approval, a draft notification for exempting the contract — plying between Tuticorin and Colombo from certain restrictions applicable to vessels engaged in trade with foreign ports.

GOVERNMENT OF MADRAS.

## REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 5319, dated 1st December 1897 :—

*Read*—letter from the Collector of Sea Customs, Madras, No. 4205-G., dated 29th June 1897.

Abstract.—Submitting the explanation called for with reference to a note of Mr. F. G. Marshall, as to why a general pass has been granted to the S.S. "Amra" which plies daily between Tuticorin and Colombo.

*Read*—also the Board's reference thereon, dated 4th July 1897.

Abstract.—Referring to the Collector of Tinnevelly, for report, certain correspondence regarding the grant of "general pass" to the S.S. "Amra."

*Read*—the following letter from P. S. P. RICE, Esq., Acting Sub-Collector of Tinnevelly, to the Collector of Tinnevelly, dated 26th August 1897, Ref. on Cur. No. 1071-Coll.:—

Your reference Cur. No. 208 of 1897 G.B.-Sep., dated 12th July 1897, on Board's reference on G.R. No. 7218 of 1897, dated 4th July 1897, I have the honour to report.

2. There cannot be any doubt that under the rules the two steamers plying between Tuticorin and Colombo are not entitled to a general pass. The form of the pass shows that it applies only to customs ports and rule defined "Customs port," Colombo does not fall within that definition.

3. Manifests have to be sent by post (*vide* rule 13), but since these steamers carry the mails, they must, as Mr. Marshall remarks, carry their own manifests. The boat notes, Mr. Marshall says, are sent to the steamer agents. The Sea Custom Superintendent explains that as "the extract from the cargo book, *i.e.*, the import manifest, almost invariably accompanies the goods ashore 'the rule regarding boat notes is not insisted on' as the manifests are produced at the Custom house whithin 24 hours." This is not very clear. The extract from the cargo book is the manifest and one is left to infer that though it accompanies the goods ashore it is sent to the steamer agents first. This arrangement was objectionable, but it seems that the Superintendent is able to take other measures now that he has an assistant. The great drawback is the want of English-knowing peons.

4. Both the Superintendent and the Port officer point out that if the general pass is taken away the mails are liable to be delayed. The two great advantages conferred by the general pass are (1) the permission to break bulk on arrival, (2) the passing of export applications in anticipation of the ship's arrival. Captain Baker thinks that it would cause great delay if sections 8, 57, 58 and 61 of the Sea Customs Act were put into force, but considers that section 66 provides for the case. I am unable to agree with him. Section 66 refers distinctly to sections 64 and 65, which relate to port clearance only. It does not refer to sections 57 and 58. I observe, however, that section 59 provides for the grant of a special pass. I am unable to discover what rules have been framed under the second paragraph of that section. Sections 59 and 66, however, seem to be intended to meet isolated cases. To grant a special pass always or to require security always under section 66 seems to me to be very much the same as granting a general pass.



5. The fact is that the Act does not meet the case at all. Colombo is the port of Ceylon which is a Crown Colony within a few hours sail from India, and as it is also one of the calling stations for steamers sailing to Madras and Calcutta from Europe, it is out of the question to declare it a customs port. These little steamers carry very little cargo and they often arrive in ballast. The object of them is to carry the mails and to import emigrants into Ceylon. Trade is a secondary consideration.

6. I have said that the Act does not meet the case. I have pointed out that the continual use of sections 59 and 66 amounts to a general pass and at any rate such a remedy does not meet Mr. Marshall's objections. But if section 66 does not apply, then section 63 applies. But under section 63 the Master must apply for port clearance 24 hours before the vessel departs. The vessel only stays in Tuticorin about 8 hours or so. This is a *reductio ad absurdum*.

7. The only course I can suggest is that English-knowing peons be employed if necessary on higher pay (on this I am in correspondence with you), and that imports be carefully checked with boat notes immediately on arrival. It is quite essential that the steamer break bulk on arrival and that no delay takes place in granting port clearance. I do not see any remedy except to make the general pass rules applicable to the special case and to insist on closer supervision on landing.

Endorsement by the Collector of Tinnevelly, dated 17th September 1897, Ref. on Cur. No. 208.

Submitted to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, in reply to Ref. on G. R. No. 721 of 1897, dated 4th July 1897 (the enclosure of which is returned).

2. The steamers that are now plying between Colombo and Tuticorin are the "Hindu" and the "Aska," of which the latter has, and the former, as far as I can ascertain, has not, a general pass. Other small steamers are also employed from time to time.

3. As regards the checking of goods with import manifest, it will be arranged to be done under the supervision of the Assistant Sea Customs Superintendent. The subject of detailing English-knowing peons to the Sea Customs office is under correspondence.

4. I agree with the Sub-Collector in his recommendation contained in the last sentence of paragraph 7 of his letter. Since the Sub-Collector's letter was written, Board's Proceedings, No. 3840, dated 3rd September 1897, has been received.

*Read*—the following petition from Messrs. ADAM MACTAGGART & Co., Agents to British India Steam Navigation Company, Tuticorin, dated 24th August 1897, No. 19—377-G. :—

We have the honour to enclose copy of letter No. 665-S.C. of 1897, dated 3rd instant, received from the Superintendent of Customs here.

We beg to point out that the daily steamers plying between this port and Colombo, with mails, passengers and cargo have heretofore had general passes granted to them by the Collector of Sea Customs, Madras, and have been entered and cleared under the said general passes.

We are therefore at a loss to understand why these steamers, holding as they do general passes, are now without warning to be treated as coming from a foreign port.

As you are doubtless aware that steamers on this line are under contract with the Government of India to maintain a daily mail service arriving here at 8 A.M. and sailing again at 5 P.M., and if they are to be treated as vessels arriving from a foreign port, it will be impossible for them to sail at the appointed time and so fulfil the mail contract.

We have therefore the honour to request that you will instruct the Superintendent of Sea Customs here to allow the mail steamers on the Tuticorin-Colombo line to be worked under the terms of the general passes held by them as has been always done hitherto.

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Enclosure.

Read—the following letter from the Superintendent, Sea Customs, Tuticorin, to the Agents, British India Steam Navigation Company, Tuticorin, Ref. on Cur. No. 665-S.C. of 1897 :—

I have the honour to inform you that in the list of general passes granted by the Collector of Sea Customs, Madras, received with his letter, No 5211-G., dated 21st July 1897, it is stated that the general pass is invalid in the case of S.S. "Amra" if it plies between Colombo and Tuticorin. The S.S. "Hindu" is not included in the list of general passes. I therefore think that the above proviso is applicable to all steamers plying between these two ports, and that they will have to be treated henceforward as those coming from foreign ports for purposes of Sea Customs Act.

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*Read*—letter from Messrs. BINNY & Co., Madras, Agents to the British Steam Navigation Company, Madras, dated 29th October 1897.

Abstract.—Stating that the company's steamers are frequently transferred and that those which are engaged in the Madras coasting trade should be provided with general passes and that it is provided in the general pass that if the steamer is not actually engaged in the coasting trade the pass becomes invalid as is seen in the concluding paragraph of form A.

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*Read*—the following letter from F. G. MARSHALL, Esq., Assistant Commissioner on Special duty, to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, dated 4th November 1897 :—

Referring to Board's Proceedings, No. 3017, Routine, dated 22nd October 1897, I have the honour to state the proposed notification will meet the requirements of the steamers engaged in the trade between Tuticorin and Colombo, but I am decidedly of opinion that clause 12 of the general pass rules should be altered for these particular vessels and the agents bound to file the export manifest and shipping bills within 24 hours of the departure of the vessel. The modification will not entail any hardship on the Agents or shipping community, for I ascertained, while in Tuticorin, that the Masters sent their manifests to the steamer office before sailing; but the Agents taking advantage of the rules did not file them until the prescribed period, five days, thus causing a deal of unnecessary delay in the Customs office.

* * * * *

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*Resolution*—Mis. No. 5319, dated 1st December 1897.

Mr. F. G. Marshall, the Assistant Commissioner on Special Customs duty, brought to the notice of the Board, after his visit to the Tuticorin port, that the contract mail steamer, the S.S. "Amra," plying between that port and Colombo was treated as a general pass steamer. Thereupon a reference was made to the Collector of Sea Customs, Madras, and the Collector of Tinnevelly. The former reported that he granted general passes to 91 steamers including the S.S. "Amra," as Messrs. Binny & Co., the Agents, stated that the steamers were solely engaged in the coasting trade.



He at the same time pointed out that the pass itself contains a provision that it shall not be valid for any voyage which the vessel carrying it may make otherwise than as a coasting vessel during the period of its currency. The Collector of Tinnevelly reports that the daily steamers plying between Tuticorin and Colombo are the "Aska" and the "Hindu," both of which are general pass steamers. He considers that the mails will be delayed if the Sea Customs rules are strictly enforced and proposes that the general pass rules may be made applicable to these steamers, which appear to be changed frequently. The chief advantages claimed for this proposal are (1) permission to break bulk on arrival under the general pass rule 16, and (2) the passing of export applications in anticipation of the ship's arrival under rule 6.

2. Messrs. Binny & Co. also petitioned the Board to allow such of the steamers as ply between Tuticorin and Colombo to be worked under the general pass rules as hitherto, and the Board has directed the Collector, Tinnevelly, to instruct the Sea Customs Superintendent of Tuticorin not to make any change in the present practice till further orders.

3. The Board concurs in the Tinnevelly Collector's opinion stated above and accordingly submits a draft notification under section 13 of the Sea Customs Act for approval and submission to the Government of India in view to avoid the detention of the mails which will result from too strict an enforcement of the ordinary provisions of the Act. The notification declares that all goods imported from or exported to Colombo to or from Tuticorin and carried in the mail steamers shall be treated as imported from or exported to a Customs port in so far as to exempt vessels carrying them from the provisions of sections 57, 58 and 61 of the Sea Customs Act subject to the condition that the Agents or owners shall bind themselves to abide by the general pass rules and by such other conditions as may be prescribed by the Chief Customs authority of the Madras Presidency in modification of any of the clauses of the general pass rules or otherwise.

(True Copy and Extract.)

(Signed) A. KRISTNASAMI IYENGAR,
Ag. Assistant Secretary.

To the Secretary to Government, Revenue Department, with a draft notification.

" the Collector of Tinnevelly.
" Messrs. Binny & Co.

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Order—No. 109, Revenue, dated 23rd February 1898.

Separate Revenue No. 15.

The draft notification submitted by the Board of Revenue with its Proceedings read above is approved and will be forwarded to the Government of India.

2. Ordered that the following letter be addressed to the Government of India.

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).

Exd. Shaik Karim.

30 Copies.

## DRAFT NOTIFICATION.

Under the provisions of section 13 of the Sea Customs Act VIII of 1878, the Governor-General in Council is pleased to direct that all goods imported from or exported to Colombo to or from Tuticorin in steamers plying between the two ports and carrying Her Majesty's mails shall be treated as goods imported from or exported to a Customs port, in so far as to exempt vessels carrying them from the provisions of sections 57, 58 and 61 of the said Act, subject to the condition that the Agents or owners shall bind themselves to abide by the general pass rules and by such other conditions as may be prescribed by the chief customs authority of the Madras Presidency in modification of any of the clauses of the general pass rules or otherwise.

1898.

FINANCE AND COMMERCE DEPARTMENT.

*From* *The Government of Fort St. George.*

*Recd.* } 1898. *Enclosures*

*Regd.* *Spare copies*

**Letter No. 110, 23rd February 1898.**

**FEBRUARY.**

FORWARDING to the Government of India, for approval and publication in the *Gazette of India*, a draft notification, under section 13 of the Sea Customs Act VIII of 1878, for exempting the contract mail steamers plying between Tuticorin and Colombo from certain restrictions applicable to vessels engaged in trade with foreign ports.

## REVENUE DEPARTMENT.

From

The Hon'ble Mr. G. S. FORBES, I.C.S.,
Acting Secretary to the Government of Madras,

To

The SECRETARY to the GOVERNMENT of INDIA,
Finance and Commerce Department,

*Dated Fort St. George, 23rd February* 1898.

Sir,

I am directed to address you regarding the steamers run between Tuticorin and Colombo by the British India Steam Navigation Company under a contract with the Government of India to maintain a daily mail service between the two places.

Separate Revenue No. 16.

2. It is reported by the Board of Revenue that the steamers arrive at Tuticorin at 8 A.M. and sail again at 5 P.M. on the same day, and that a strict enforcement in their case of the ordinary provisions of the Sea Customs Act, 1878, would prevent their sailing at the appointed time. Under section 57 of the Act the Master has, on the arrival of his vessel at a Customs port, to deliver a manifest and to apply for her entry inwards. Until these preliminaries have been complied with and an order for entry has been obtained, the vessel may not break bulk. Under section 61, when the vessel is about to leave the port, application for her entry outwards must be made before any part of the export cargo can be put on board; and under sections 62 and 63 a port clearance must be obtained before she departs, application for the clearance having to be made twenty-four hours before the intended departure. Sections 59 and 66 of the Act, which contemplate relaxations of the above restrictions, cannot be applied to avoid the difficulty inasmuch as they are apparently intended to be used in isolated cases only. The Board of Revenue proposes that the contract mail steamers should be brought within the scope of the general pass rules published by it under section 164 of the Act. Rule 16 of these rules permits a vessel to discharge goods as soon as she drops anchor; while under rule 6 she may be entered outwards and shipping bills granted in anticipation of her arrival. But these rules, which were framed with reference to coasting vessels only, will not cover the present case until Colombo, which is a foreign port, is declared to be a "Customs port" by a notification under section 13 of the Act. This

*Rule* 16.—"At ports in the Madras Presidency, the chief port of Madras excepted, discharge may be commenced as soon as the vessel drops anchor, when free cargo may be landed; but no cargo from any *foreign* port except under the written authority of the proper officer of customs."

*Rule* 6.—"Vessels sailing under a general pass may be entered outwards and shipping bills granted in anticipation of arrival."



Government approves the Board's recommendation, and I am to forward a draft notification for the purpose for the approval of the Government of India and in that event its publication in the *Gazette of India*.

I have the honour to be,
Sir,
Your most obedient servant,

(Signed) G. S. FORBES,
Ag. Secretary to Government.

Exd. A. Shaik Karim.

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