

Revenue (1898) Department.

PRESS SERIES.

G.O., Nos 109-110

Dated 23rd February

[Despatch Abstract.]

Forward 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.	Particulars	Date	No.	Particulars	Date
158					

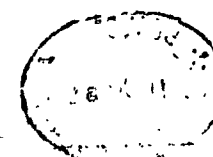
FORWARD PAPERS.

No.	Particulars	Date	No.	Particulars	Date

Revenue (1897) Department.

CURRENT No. 10675

Planned



Order

From
The Secretary to the Commission
of Salt, Akkari and Separate
Revenue. Meadros.

Order No. 5319.

Dated 18th December 1897.

Received //

Registered 13 //

Enclosures 4

Spare copies

SUBJECT.

Submitting to Government
a draft Notification for
suspending the Contract mail
Steamers plying between
Tuticorin and Colombo from
certain restrictions appli-
cable to vessels engaged in
trade with foreign countries

BACK PAPERS. C

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Letter from the Collector of Tinnevely,
Ref. on Cur: No. 208 of 1894, dated 17th Sep.
Tinnever 1894. — 92

Tinneverly Sub (Collector's Office)
Dated 26th Aug: 1894.

Ref. on Cur: No. 1071 of 97
Collector.

From

P. P. Rice Esquire,

Ag. Sub Collector, Tinneverly.

To

The Collector of Tinneverly.

Sir, Your reference Cur: No. $\frac{208}{1894}$ of 18 Sep dated
12.7.97 on Board's reference on J. R. No. $\frac{1218}{4-7-97}$

I have the honor to report -

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

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 12) 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 Customs 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 Customs 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 goods ashore it is sent to the Steamer Agents first. This arrangement was objectionable, but it seems that the Superintendent

34
Tendent is able to take other measures now that he has an assistant. The great drawback is the want of English speaking persons.

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 directly to sections 64 and 65 which relate to port clearance only. It does not refer to sections 57 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} immigrants 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 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 persons 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 be at 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 honor to be
(Signed) P. P. P. Rice,
Asst. Sub Collector.

(True Copy)

Submitted to the Secretary to the Commissioner of Salt, Abkhari 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

58
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 Unloading men to 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 1897 has been received.

(Signed)

The Collector.

Trincomalee Collector's Office,
Dated 17th Sept: 1897 3.

(True Copy)

William H. H. H.

Asst. Assistant Secretary.

bp
Letter from Adam Macartney & Co.,
Agents to British India Steam Navigation
Company, Tuticorin, No. 4/374, dated
24th August 1897.

W " We have the honour to enclose Copy
of letter No. ⁶⁶⁶/₈₅ of 1897 dated 3rd inst.
+ Copy attached 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 here-
tofore had General Passes granted to them
by the Collector of Sea Customs, Madras,
and have been entered and cleared under
the said General Passes.

W 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)

Abraham Nung
Ag. Assistant Secretary.

886
10.12.97

Ref: Cur: No. ⁶⁶⁶/_{S.C.} of 97.

70p

Letter from the Superintendent, Sea Customs Tuticorin, to the Agents B.I.P.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. ⁵²¹¹/₂₁₋₇₋₉₇ it is stated that the General Pass is invalid in the case of S.P. "Honra" 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."

(True Copy)

Abraham Nung
Ag. Assistant Secretary.

886
10.12.97

*Placed
in the
file*
Draft Notification.

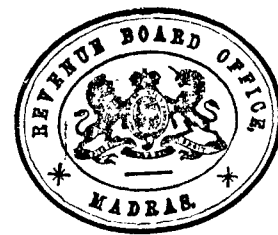
150/

Dependent

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 im-
ported from or exported to Colombo to
or from Tuticorin in Steamers flying
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 ex-
empt vessels carrying them from
the provisions of Sections 57, 58 and 61
of the said Act subject to the condi-
tion 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 Authorities of the
Madras Presidency in modification
of

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

A. B. N. N. N. N. N.
Asst. Assistant Secretary



Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 18th December 1897.

No. Meis 5319.

Read letter from the Collector of Sea-
Customs, Madras, No. 4205 of, dated
29th June 1897, Submitting the explanation
called for with reference to note of Mr.
J. G. Marshall's, as to why a General
Pass has been granted to the S. S. "Anra"
which plies daily between Tuticorin and
Colombo.

Read also the Board's Reference thereon
dated 4th July 1897, referring to the
Collector of Tinnevely, for report, Certain
Correspondence regarding the grant of
"General Pass" to the S. S. "Anra".

Attached. Read also letter from the Collector of Tin-
nevely Ref: on Cur: No. 208 of 1897, dated
17th September 1897.

Read

Read also petition from Messrs. Adam-^{Tuticorin} Coppy attached
Don MacTaggart and Co. Agents to British
India Steam Navigation Company, No. 4/377,
dated 24th August 1897.

Read also letter from Messrs Bevington & P
and Co., Madras, Agents to British -
Steam Navigation Co. in Madras, dated
29th October 1897, 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 seen in the
concluding paragraph of Form A.

Read also the following letter from Mr.
F. G. Marshall, Assistant Commissioner
on Special duty, dated Madras 4th

November 1897:-

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

90
I have the honour to state that the pro-
posed 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 mo-
dification 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:-

M^r. 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. "Omra", flying 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 Tinnevely. The former reported that he granted General Passes to 91 Steamers including the S.S. "Omra", 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

106

Carrying it may make otherwise than as a Coasting Vessel during the period of its Currency. The Collector of Tinnevely reports that the daily Steamers flying between Tuticorin and Colombo are the "Akha" 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 application 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

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, Trinevally 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 Trinevally 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

a Customs port in so far as to exempt vessels carrying them from the provision 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)

Abdunnasir Hussain
Ag. Assistant Secretary.

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

20
8/11
10.12.57

10, 1979

... 10, 1979 ...
... of ...
... 1-79 for ...
... of India.

... in circumstances ...
... the ...
...:-

... 27 of ...
... in ...
... for ...
... wards ...
... have been complied with ...
... in ...
... for ...
... for ...
... it ...
... applying for ...
... in ...
... (section 21, ...
... in the current ...
... these restrictions ...
... on ...
... for ...
... will ...
... and ...

which stay at Inticoria only & cover
(page 5 of the Current Flagship) it
is therefore proposed ^{by the Board of Rev} to prevent
delay, these rules should not be en-
forced and that the General Pass rule
continued by ~~the Board~~ it,
which will be found printed on pages
80 to 90 Rules under
the Sea Customs Act
could be not applicable to the case
of ^{the} mail steamers. The provisions of
these rules are not under rule 101,
and according to vessel rules & other, dis-
charge of cargo to be as usual, and ^{that}
rule 101, the vessel may be entered
collected and shipped. Bills created
in anticipation of the General Pass
circumstances ^{of reference} to be ruled as follows:-
Rule 101. "Vessels calling at Gen-
eral Pass may be entered collected and
shipped. Bills created in anticipation
of arrival."
Rule 101. "At ports in the Bombay Pres-
idency, the chief port of arrival except-
ed, discharged may be collected as soon
as the vessel stops within."
These rules, however, are issued
under section 144 of the Act and apply
only to coasting vessels. A coasting
vessel is defined in sec. 4(a) of the
Act as any vessel proceeding from one
coasting-port to another coasting-port.
Colombo ^{being} a foreign port, unless
it is declared to be a coasting-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/P

applicable. The Board's proposal is
therefore that Colombo may be declared
to be a coasting-port and a collection-
tion under section ^{13 of the Act} accordingly
submitted. For orders as to further
of India
of India
of India
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 Inticoria would be equivalent to the
grant of a general pass.

KD
25/12/97
We may draft to the
port of Lora as
proposed
S/P 7.1.8

Please see draft to order and letter put
up below.
KD
4/1/98
M.T.T.
Please see draft to
for approval
S/P 7/1/8

C. 15/1/98

Print soon
12/2/98

12716
G.O., No 109 of 23rd Feb 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.

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

Before despatch please see if the English Customs Act throws ~~any~~ light on the subject. They must have precisely the same difficulties then in regard to the steamers between Dover & Calais, Dover & Ostend, Weymouth & the Channel Islands & so on - If anything can be gathered from the English Act, this can justify it.

To Say

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

KD
11/2/98

Issue the letter
8/2/98

140

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 ~~the vessel has arrived~~

~~Section 57 of the Act 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~~ ^{Under sec 61} break bulk. ~~When the ves-~~

sel is about to leave ~~the~~ port, application for her entry outwards ^{must} be made be-

fore any part of the export cargo can be ~~put on board~~ ^{under sec 62 & 63 must} taken to it; and a port clearance ~~must~~

be obtained before she departs; applica- tion for the clearance having to be made

twenty four hours before the intended departure (~~Section 61, 62 and 63 of the~~

~~Act, and Section 64 of the Act~~ or Sections

59 and 66 of the Act, which contemplate relaxations of the above restrictions in

~~isolated~~ cases only. The Board of Re-

venue ~~proposes~~ proposes that the con-

tract 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 per-

mits 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 ves-

sels only, ~~they~~ will not cover the pre-

sent case until Colombo, ^{which is} not a foreign

*cannot be applied to
will not avoid the dif-
-iculty inasmuch as they
are apparently intended to
be used*

Rule 16:- "At ports in the Madras Pre-
sidency, the chief port of Madras ex-
cepted, 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 pro-
per Officer of customs."

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*

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

KD
14/1/98

8/7
15/1/98

2/2

Government {1898} of Madras.
REVENUE.

Recd.

Enclosures

} 1898.

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 Tinnevely, 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 Tinnevely, to the Collector of Tinnevely, dated 26th August 1897, Ref. on Cur. No. 1071-Coil:—

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 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 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 Tinnevely, dated 17th September 1897, Ref. on Cur. No. 208.

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 "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.

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.

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.

Read—the following letter from F. G. MARSHALL, Esq., Assistant Commissioner on Special duty, to the Secretary to the Commissioner of Salt, Abkari 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.

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 Tinnevely. 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 Tinnevely 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, Tinnevely, 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 Tinnevely 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 Tinnevely.
" Messrs. Binny & Co.

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).

Etd. 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.

Regd.

1898.

Enclosures

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

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.”

declared to be a “Customs port” by a notification under section 13 of the Act. This

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

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.

Encl. A. Shaik Karim.

10 Copies.

First copy sent to Press

Returned for signature.

Despatched in print.

REASON AGAIN G.O., No.
189

REASON No.

REASON FOR G.O. No.

REASON BY GOVERNMENT

REASON OF GOVERNMENT

REASONMENT WITH REASON

REASONMENT WITH REASON
IS REASON

N.E.

ALL Print in full
New Print in full
Post Print in full only
Post Print in full only