

Revenue (1898) Department.

PRESS SERIES.

G.O., No. 286

Dated 19th May

[Despatch Abstract.]

Contract Mail Steamers

Comms. to the Bd. of Rev. for report,
letter from the Govt. of India, suggesting
that the exemption by the application of sections
59 and 60 of the Sea Customs Act, 1878, of
the — plying between Tuticorin and Colombo from
certain restrictions imposed by the Act on vessels
engaged in trade with foreign ports may be considered

BACK PAPERS.

Expenditure	Date	C.O.	No.	Received	Date

FORWARD PAPERS.

Expenditure	Date	C.O.	No.	Received	Date

Revenue (1898) Department.

CURRENT No. 3355

At the present

Order *12868/19th May 1898*
H.M.
13/5/98

From

The Government of India
 Finance & Commerce Dept.

Communicated to *22-2-98*
 in continuation of G.O. 109 to the Dy. Rev.

No. 1982 S.R.

for report as to the application
 of Rs. 57,000 of the Sea Customs
 Act 1878, to the case of the
~~contract~~ contract mail
 steamers plying bet. Tuticorin
 & Colombo

Dated 30 April
 Received 6 May
 Registered 6 May
 Enclosures
 Spare copies.

SUBJECT.

To
 the Dy. of Rev. (Exp. Rev) Act 1878
12/5/98

Suggesting that the exemp-
 tion, by the application of Rs. 57,000 of the Sea Customs
 Act, 1878, of the contract mail steamers
 plying between Tuticorin and
 Colombo from certain restric-
 tions imposed by the Sea Customs
 Act, 1878, on vessels
 engaged in trade with foreign
 ports may be ^{considered} ~~for~~ ^{as} ~~the~~
 carried out by the ~~the~~ ^{the} ~~the~~
 of Rs. 57,000 of the Act

12/5/98
13/5/98
14/5/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 1982- SR.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 30th April 1898.

To
The Secretary to the Government of
Madras,
Revenue Department.

Sir,

I am directed to acknowledge the receipt of your letter No. 110, Rev, dat the 23rd February 1898, proposing the exemption of the contract mail steamers plying between Tuticorin and Colombo from certain restrictions imposed by the Sea Customs Act, 1878 (VIII of 1878), on vessels engaged in trade with foreign ports.

2. I am to say that the Government of India agree in thinking that it is desirable to free these steamers, which in effect carry on what is nothing

nothing but a coasting trade, from unnecessary restrictions. But the proposal to do this by means of a notification under Section 13 of the Act referred to would seem to have been made under a misapprehension and cannot, in their opinion, be approved. The issue of the notification suggested would not have the effect desired; for it would not constitute Colombo a Customs port; but would only cause certain imports or exports therefrom or thereto to be treated as if they were imports or exports from or to a Customs port. The object of that Section, too, is to secure to goods imported or exported from or to foreign ports the fiscal treatment which they would receive if imported or exported from or to one Customs port to or from another - such as, exemption from prohibition

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prohibition, or exemption from import duty, and, in the case of exported rice, exemption from export duty. Such exemption, however, is not the object which the Government of Madras propose. What is proposed is to exempt the steamer carrying the goods from certain formalities, and that object has no concern with Section 13.

3. Moreover, even if the Section could be held to meet the case, it would not admit of the conditional exemption contemplated by the draft notification received with your letter under reply, while it does not appear to give power to the Government to declare that goods imported in one vessel shall be free from restrictions to which similar goods imported in other vessels are subject. The concession can only apply to all goods, or any specified class of goods, irrespective of

of the vessels in which they are imported or exported.

4. Section 13 of the Sea Customs Act being inapplicable to the case, the question arises, how the object proposed can be attained, and I am to say that the Government of India are of opinion that the Government of Madras have too readily dismissed Sections 59 and 60 of the Sea Customs Act from consideration. It is true no doubt that the necessary action under these Sections must be taken in each case, and that they do not admit of the issue of a general pass or of orders exempting the vessels concerned once for all. But these difficulties appear to have been surmounted elsewhere; the provisions in question are commonly resorted to in other ports; and they were, in fact, specially designed for the cases of vessels which must unload and load.

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load quickly. I am to suggest therefore that the possibility of using these provisions in the cases under consideration may be further considered.

I have the honour to be,
Sir,

Your most obedient servant,

H. C. Munro

Unl. Secretary to the Govt. of India

Government {1898} of Madras.
REVENUE.

Recd.

Enclosures

1898.

Regd.

Spare copies

G.O., No. 286, 19th May 1898.

MAY.

Contract Mail Steamers.

Communicating to the Board of Revenue, for report, letter from the Government of India, suggesting that the exemption by the application of sections 59 and 60 of the Sea Customs Act, 1878, of the — plying between Tuticorin and Colombo from certain restrictions imposed by the Act on vessels engaged in trade with foreign ports may be considered.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from J. E. O'CONOR Esq., Assistant Secretary to the Government of India, Finance and Commerce Department, to the Secretary to the Government of Madras, Revenue Department, dated Simla, 30th April 1898, No. 1982-S.R. :—

I am directed to acknowledge the receipt of your letter No. 110, Revenue, dated the 23rd February 1898, proposing the exemption of the contract mail steamers plying between Tuticorin and Colombo from certain restrictions imposed by the Sea Customs Act, 1878 (VIII of 1878), on vessels engaged in trade with foreign ports.

2. I am to say that the Government of India agree in thinking that it is desirable to free these steamers, which in effect carry on what is nothing but a coasting trade, from unnecessary restrictions. But the proposal to do this by means of a notification under section 13 of the Act referred to would seem to have been made under a misapprehension and cannot, in their opinion, be approved. The issue of the notification suggested would not have the effect desired; for it would not constitute Colombo a customs-port, but would only cause certain imports or exports therefrom or thereto to be treated as if they were imports or exports from or to a customs-port. The object of that section, too, is to secure to goods imported or exported from or to foreign ports the fiscal treatment which they would receive if imported or exported from or to one customs-port to or from another—such as exemption from prohibition, or exemption from import duty, and, in the case of exported rice, exemption from export duty. Such exemption, however, is not the object which the Government of Madras propose. What is proposed is to exempt the steamer carrying the goods from certain formalities, and that object has no concern with section 13.

3. Moreover, even if the section could be held to meet the case, it would not admit of the conditional exemption contemplated by the draft notification received with your letter under reply, while it does not appear to give power to the Government to declare that goods imported in one vessel shall be free from restrictions to which similar goods imported in other vessels are subject. The concession can only apply to all goods, or any specified class of goods, irrespective of the vessels in which they are imported or exported.

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ORDER—No. 286, Revenue, dated 19th May 1898.

Separate Revenue No. 29.

Communicated, in continuation of G.O., No. 109, dated 23rd February 1898, to the Board of Revenue for report as to the application of sections 59 and 60 of the Sea Customs Act, 1878, to the case of the contract mail steamers plying between Tuticorin and Colombo.

(True Extract.)

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

To the Board of Revenue (Separate Revenue).

Ext. C. M. Thumbarwamy.

First copy sent to Press

Returned for signature.

Despatched in print.

READ ABOVE G. C. No.

PRESENT NO.

PRESENT NO. TO G. No.

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT

ORDER OF GOVERNMENT

NOTE—

A=Print in full.

B=Not to be printed.

P=Print also not only.

Q=Print also only.