Revenue (1897) Department.

PRESS SERIES.

G.O., No. 380

Dated 17th June 1899

[Despatch Abstract.]

Approving, with remarks, the Board's Proposal to withdraw gradually from the Khonds and Savaras of the Ganjam district the privilege hitherto enjoyed by them of distilling country spirits free of tax for home consumption.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Mis	4097	Rev	5.12.99				

Revenue (1898) Department.

CURRENT No. 7199

From

The Secretary to the Commissioner of Salt, Abkari and Separate Revenue,

Madras.

Order

Mis. No. 4094.

To Secy

~~Copy of Mr. Board's Report on the administration of the Abkari revenue for the 1896-97 states "No Khonds in the Agency villages of the Ganjam District are allowed to distil spirits free for home consumption as well as for use at village feasts, &c., but not for sale. This concession is contrary to the rule laid down in G.O. No. 1631 dated 26-12-1893, and is prejudicial in its nature & opposed by the Board and quoted on page 10 of G.O. No. 15 dated 16-6-94. The Collr and the Board now consider that the rule is ultra vires & no power to make a relaxation in favour of a particular class of the population is given by Act III of 1864, which is in force in villages. The Board is of opinion that free distillation by the Khonds should be changed & supervised & only this policy is approved.~~

Dated 13th October 1898.

Received 20 "

Registered 21 "

Enclosures

Spare copies

RECEIVED IN MADRAS
OCT 21
REVENUE DEPARTMENT

SUBJECT.

Submitting to Government, with remarks, letter from the Collector of Ganjam reporting on the right of the Khonds and Savaras to distil, free, for home consumption as well as at feasts and marriages.

10/11/98

BACK PAPERS.

G.O.	No.	Department.	Date.
Encl Record papers			
			D. 25-10-1898

FURTHER PAPERS.

G.O.	No.	Department.	Date.
Cdo	6148/99.		

REVENUE BOARD OFFICE MADRAS

Proceedings of the Board of Revenue

(Separate Revenue),

Dated 13th October 1898.

Mis. No. 4094

Read the following letter from H.D.Taylor Esquire, I.C.S, Acting Agent to the Governor in Ganjam, dated Camp Russellkonda 18th August 1898:-

"I have the honour to submit the report promised in my reply dated 4th instant to Board's objection Memo dated 20th July 1898 regarding the right of the Khonds and Savarahs to distil liquor for their bona fide private consumption, on the occasion of feasts and festivals.

G.O. 641 Rev A 93 17.7.93

2. With the exception of the 122 low country(Savara) villages of the Parlakimedi Agency to which Abkari Act I of 1886 has been extended, the regulation of liquor traffic in the Agency Tracts of this District is governed by the provisions of Act III of 1864 as amended by Act V of 1879. The amendments however in the last-mentioned Act do not in any way affect the rights conferred under section 28 of the former Act, This section allows the home manufacture of fermented liquor for bona fide domestic consumption generally, except in tracts in which it may be declared

by the Board to be illegal.

There is nothing in this Act which admits of the distillation of spirits without a license nor is there any provision in the Act under which Government or the Board may exempt any particular class or classes from the operation of the Act.

3. It is however clear that in this district the distinction between distillation and fermentation has not been observed in the Khond and Savara tracts.

4. In Board's Proceedings No.1810, dated 30th May 1884, a form of license and revised rules were sanctioned. Licenses for distillation for purpose of sale were upto that time granted only to Khond and Savara Sondis, and not to Uriya Sondis. Rule 3 says that "They (Khonds) will be further allowed to distil spirits free of tax for home consumption and for consumption at village feasts, marriages &c., but not for sale".

Printed in G.O. 757 Rev. 16.6.84

Rule I appears to be quite unnecessary as under section 38 of Act III of 1864 the same privilege is allowed to all residents of the Agency.

Under the latter part of that section the Board could only declare home manufacture to be illegal within a specified area, but could not restrict it to ~~be~~ a special class within a specified area.

5. Now however the conditions have changed. The liquor shops are annually put up to auction to the general public, instead of fixed fees being levied as provided for in para 5 of the revised rules.

Bidding is not restricted to Khonds and Savaras. But Uriyas and Telugus are allowed also to bid. Hence the revised rules quoted above have practically been abrogated.

6. In any case I consider that the right conferred by those rules on Khonds to distil liquor(as apart from the question of brewing fermented liquor) is in no way justified by Act III of 1864, nor does that Act permit of rules being framed to render such distillation without license legal.

7. I would therefore respectfully point out that in my opinion the sanction accorded by the Board to the rules proposed by Mr. Horsefall was ultra vires and that, though the distillation of spirits for bona fide private purposes by Khonds has the sanction of Custom and acquiescence by Government authorities it is opposed to the law on the subject.

8. The throwing open of the right of purchase of shops and distillation of spirits for sale at those shops to the general public, has in my opinion now done away with the necessity for allowing a further continuance of this custom.

It may take some time to disabuse the Khonds of the false impression as to their right of distillation which has been allowed to grow up, and any action taken to prevent such distillation for bona fide private purposes will have to be taken ~~cautiously~~ cautiously and gradually. It may I think be effected by the action of the Sondis themselves and I do not think it necessary for Revenue officers to interfere except on a specific complaint made

by some licensed shop keeper."

Resolution.

Submitted to Government.

2. The Board concurs with the Collector in thinking that the sanction to the Khonds of the Ganjam Agency tracts to distil free for home consumption as well as for village feasts, marriages etc is without authority in law and that such distillation should be gradually repressed.

3. The rules sanctioned in Board's Proceedings No.1810, dated 20th May 1884, may be cancelled. The Collector will be requested to submit for approval a revised set of rules meeting present requirements.

printed in G.O. 757 Rev. 16.6.84 B

(True copy and extract)

Acting Secretary.

To the Secretary to Government, Revenue Department.

18.10.98

To the Collector of Ganjam.

D 500—14 5-98

No. 38

Revenue Department.

OFFICIAL MEMORANDUM.

With reference to para 2 of its Proc. Mis. No.4094 of 13.10.98, the Board of Revenue is requested to ~~the Govt ought to~~ ascertain from the Agent to the Governor in Ganjam whether the gradual withdrawal from the Khonds of the privilege of free distillation is likely to ~~lead to endanger the public peace~~ ~~or to necessitate fresh objection~~ in the future.

To

The Board of Revenue (S.R.)

DIS-11-2-99

by some licensed shop keeper."

Resolution.

Submitted to Government.

2. The Board concurs with the Collector in thinking that the sanction to the Khonds of the Ganjam Agency tracts to distil free for home consumption as well as for village feasts, marriages etc is without authority in law and that such distillation should be gradually repressed.

3. The rules sanctioned in Board's Proceedings No.1810, dated 20th May 1884, may be cancelled. The Collector will be requested to submit for approval a revised set of rules meeting present requirements.

printed in G.O. 757 Rev. 16.6.84 B

(True copy and extract)

Acting Secretary.

To the Secretary to Government, Revenue Department.

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To

The Board of Revenue (S.R.)

DIS-11-2-99

Revenue (1899) Department.

CURRENT No. 2796

From

The Secretary to the Commissioner of Salt, Abkari and Separate Revenue, Madras.

Order

Mis. No. 1756

Dated 24th April 1899.

Received 26th do.

Registered 27.4.99.

Enclosures /

Spare copies

SUBJECT.

Reporting to Government that the withdrawal of the privilege of free distillation by the Khonds and Savaras in Ganjam will not result in any serious political disturbance or breach of the peace or be otherwise objectionable.

1A 27/4 11777

9

BACK PAPERS.

G.O.	No.	Department.	Date.
	O. M. 38 10.2.99 C. no. 1199 of 99 4 pur. connected papers		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

10

800
6-6-98

REVENUE BOARD OFFICE MADRAS

Proceedings of the Board of Revenue

(Separate Revenue),

Dated 24 April 1899.

Mis. No. 1756.

Read letter from F.D.Taylor Esquire, I.C.S.,Acting Agent to the Governor in Ganjam, Dis No.55 R/AG/99, dated 24th March 1899, stating that the gradual withdrawal of the privilege now allowed to the Khonds of distilling liquor on ~~the~~ occasions of feasts and festivities will not result in any serious political disturbance or breach of the peace or be otherwise open to objection.

Resolution.

With reference to Official Memorandum No.38, dated 10th February 1899, the Board begs to state that the Agent to the Governor in Ganjam considers that the gradual withdrawal of the privilege of free distillation by Khonds and ~~Xxxxxxxx~~ Savaras will not result in any serious political disturbance or breach of the peace or be otherwise objectionable. The Agent reports that as a rule these tribes do not themselves distil spirit but employ others for the purpose and that illicit distillation for purposes of sale is therefore widely prevalent in the Agency tracts. In the interests of licensed shopkeepers it is proposed to withdraw the privilege which is practically not enjoyed by the majority of the Khonds and Savaras at all. No action will be taken by Government officers against unlicensed distillation by the hill tribes, except at the instance of a shopkeeper.

Copy of the Collector's letter is submitted.

(True extract)

C Galthwaite
24.4.99 Acting Secretary.

To the Secretary to Government, Revenue Department, with 1 enclosure.

Copy to the Collector of Ganjam.

24.4.99

Copy of letter from F.D.Taylor Esquire, I.C.S., Acting Agent to the Governor in Ganjam, Dis.No.55 R/AG/99, dated 24th March 1899.

"With reference to Board's Proceedings Mis.No.842, dated 24th February 1899, communicating Official Memorandum No.38 of Government in the Revenue Department, dated 10th idem, I have the honour to state that I do not consider that the gradual withdrawal of the privilege now allowed, but not authorized by law, to the Khonds, of distilling liquor on the occasion of feasts and festivals, will result in any serious political disturbance or breach of the peace, or to be otherwise open to objection.

2. In my original proposals I particularly stated that I did not intend to take any direct action in the matter either through the Magistracy or Police, but only to entertain complaints made by the licensees themselves.

It cannot reasonably be expected that persons will come forward to bid for licensed shops, if illicit distillation is to proceed unchecked.

3. From my inquiries and observations I have reason to believe that illicit distillation of spirit for sale by unlicensed persons is very prevalent in the Agency tracts. The ordinary Khond does not as a rule distil the spirit for himself. He gets it done for him by an unlicensed Sondi. Hence the privilege that I propose to withdraw is in many cases non-existent, the existing practice of purchasing liquor from unlicensed persons for feasts and ceremonies being a breach not only of the law, but of the existing permissive rules on the subject.

4. There are exceedingly few liquor shops in the wilder portion of the Khond tracts, and it is only in the immediate vicinity of licensed shops that the restriction of illicit manufacture will in practice be enforced to any considerable extent.

It is in practice quite impossible to say whether unlicensed distillation is for the purpose of private consumption or for sale but in nine-tenths of the cases there is no doubt that sales take place, and at a much lower rate than in licensed shops.

I therefore think it desirable to withdraw the permission granted by Government in respect of distillation for home consumption subject to the limitation noted by me, viz, that ordinarily departmental action shall not be taken except on the ~~com-~~

complaint of a licensed vendor.

5. Such licensed vendors are only likely to prefer complaints in clear cases of illicit distillation for sale, in which action can even now be taken by Government officers.

There is however no doubt that the privilege as allowed by Government tends to increase the amount of illicit distillation for purpose of sale that actually takes place.

6. The necessary departmental orders will be issued to see that the rules are not worked too rigorously in the first instance.

There is moreover no doubt in my mind that as Act III of 1864 at present stands an officer in his judicial capacity will be bound by the provisions of the Act, and if a complaint is made he will be bound to entertain it, the existing rules notwithstanding."

(True copy)

Acting Secretary.
20.4.99

24.4.99

899

2796

D 1,000—8-4-97.

REVENUE DEPARTMENT.

C. No. 7199

From The Board of Revenue (Sep. Rev.)

Mis. No. 4094 Dated 13.10.98 —189—.

FOR ORDERS.

To Secretary.

Page 4.

Para 20 of the Board's report on the administration of the Abkari revenue in 1896-97 states "The Khonds (in the Agency "villages of the Ganjam district) "are allowed to distil spirits "free for home consumption "as well as for use at village "feasts, marriages etc. but not "for sale." This concession is based on para 8(2) of G.O. No. 1631 dated 26.12.1883, and is embodied in rule 2 approved by the Board and printed on page 1 of G.O. No. 757 of 16.6.84. The Collector and the Board now consider that the rule is ultra vires, as no power to make a relaxation in regard to the distillation of spirits in favour of a particular class of the

population is given by Act III of 1864, which is the law in force in the villages. The Collr and the Board are of opinion that free distillation by the Khonds should be gradually suppressed. May this change of policy be approved? The Collr states

" The throwing open of the right of purchase of shops and distillation of spirits for sale at those shops to the general public has in my opinion nowdone away with the necessity for allowing a further continuance of this Concession". Reference is solicited to paras 20–23 of the Abkaree Report for 1896–97 which explain the systems of arrack management in force in the Agency tracts of Ganjam, Vizagapatam and Godavari. The Concession under consideration that of distilling spirits free for home consumption has not been allowed to any others than the Khonds of Ganjam.

KQ
8/11/98

So far as this Dept is concerned, there can be no objection to the proposals of the Collector of the Board; but the final decision must be taken with reference to the effect of the proposals on the Khond population. There is

FOR ORDERS.

(vide in this connection para 1 of the Secy's remarks on page 2 of the office note under G.O. no 6460 dated 17–12–98).

for 1

Para 9 of his letter on page 3 of C.

a question of policy for the Jud. Dept. which is in charge of the admn of the Hill Tracts. That Dept must therefore be consulted.

S.K. 11.11.98

Jud Dept.

Examiner

11/11/98

C.

The Agent himself has made the proposal, and it may therefore be taken for granted that there is no administrative objection to it.

It is hoped to be remarked that recent correspondence in Jud. Dept regarding enactments in force in the Agency tracts in the conclusion that Act III of 1864 is not in force in the Ganjam Agency tracts. A separate file on this subject will shortly be sent to this Rev. Dept.

KK
31.1.99

It is plain from the

Submitted
Abkaree Pers
-II.
KKV
3.2.99

To the Revenue Dept. G.O. (Separate papers) 7.2.99 (Mr. Ley) 6.2.99

To Rev. Dept. (two)

16th Dec. 83.

writs of Mr. Carmichael in the former G. O. that the Khonds were allowed to distil freely for fear of a disturbance the Rumpa disturbance being assigned to that cause. I do not propose to know much about those parts but I do not be surprised if the Khonds taking away this privilege now are dangerous and I think before it is allowed the Agent. Will be required to report specially on the point. It is not unlikely that the interference of the Abkari Officials in putting down this custom may lead to trouble even though liquor may be obtained otherwise.

3/2/83.

No. 358, d/3-2-99.
To R.D. n.o.

To Secy

K.D. 4-2-99 he may enquire as at A

To Secy.

Please see draft reference to Board below.

O. M. No. 38 d/ 10.2.99

J.P.K.

1A

5 D

From the Board of Rev
(S.R.) No 1756 d. 24-4-99
(C. No 2796)

To Secretary.

In reply to our. No. 38 d. 10-2-99 requesting to be informed whether the gradual withdrawal from the Khonds of the privilege of free distillation is likely to endanger the public peace or to be ~~misdeclared~~ otherwise open to objection, the Board forwards a communication from the Agent to the Govr in Council. It will be seen therefrom that the withdrawal is not likely to cause any disturbance or be otherwise objectionable. The spirits are distilled for the use of the Khonds by unlicensed sondis who also sell to other people, thereby affecting

the sales of the licensed shops in the Agency tracts. So, the proposed withdrawal will not affect any privileges at present enjoyed by the Khonds but will only prevent the unlicensed distilling by the Bondi. The Agent proposes that ordinarily departmental action shall not be taken to repress illicit distillation except on the complaint of a licensed vendor. As there are very few liquor shops in the wilder portions of the Khond tracts, the restriction of illicit manufacture will in practice be confined to localities in the immediate neighbourhood of licensed shops and the complaints of licensed shopkeepers will consequently be very few in number.

C(Ds) 7199 of 98

2. Before accepting the Board's original proposal, it is submitted that the file may be sent (no.) to the Judicial Dept for remarks with reference to the communication from the Agent referred to in para 1 of this note.

aik.
9.5.99

Yes
S/K
14/5

Rev Dept (Ms) No. 1688/12th May 1899.

CHIEF SECRETARIAT, 12 JUL 1899, ODIYA SECTION.

TO

21

C.S.

Medical Dept

Rev.ue current

796

If, as explained by the Agent, the Rhondda do not make any direct use of their privilege, there appears to be no objection to its withdrawal. Shopkeepers, upon whose complaints alone action will be taken will perhaps only complain when illicit distillation is carried on extensively for purpose of sale - and not when Rhondda distil for their own use. It might have been thought that more active measures to repress the sale of illicit spirits would have been effected, but as the Agent is convinced that no trouble will ensue from the change, it is submitted that Judicial need not object.

J. Cumming

H.C.

14/5/99

To Rev.ue Dept

(Rev.) No. 1293

16 May 99.

9

Revenue Department

HM

The withdrawal may be approved as proposed by the Board.

HM

HM
18.

I agree. My Agent's opinion may be called on.

AA 9.5.99.

N.B. The limitation proposed by the Board, that no action will be taken except on the evidence of a chief headman, I have no objection.

HM
26.5.99

It will I think be well to allow the Collector agents to act with caution & to watch carefully the effect of this change.

The Agent in para 3 of his letter says that the Khond gets distillation done for him by the unlicensed Sondi.

But G.O. No 1631 of 26th Dec'r 83 the Utriya Sondis were forbidden to distil. The Agent should report how this prohibn came to be disregarded & whether the Sondis have to any extent acquired land from the Khonds.

AA 8.6.99.

Typed. 9.6.99. 10.6.99

Mr. Carmichael's note flagged H under the G.O.

D 10

To Secy.

Please see draft below.

2. May it the draft be sent to the Judicial Department (M.O.) for acceptance.

3. Para 2 of the draft has been added with reference to H.M's remarks, but from the correspondence under G.O. No. 1631 of 26.12.83, the prohibition of distillation by the Utriya Sondi appears to be relate to distillation and sale of liquor to the Khonds, the object being to prevent their "squeezing the land out of the "Khonds" through the liquor traffic". The Khonds have been allowed to distil for home consumption; but not for sale; and they might use any one to do the work for them.

P.K. 13.6.99

13-6-99

I think it is clear from the Agent's letter that the Khonds buy from the Sondis. And apparently the danger is that the Sondis can thus get the Khonds into debt & squeeze them

Draft to Judl for cr by 14.6.99

Sd/ HM

CHIEF SECRETARIAT 13 JUN 1899 OOTACAMUND

To Judl No. 260 of 15.6.99.

1631 of 26: 12.83 which directed the prohibition of distillation by Uriya Soudis. The Agent should be called upon to report how the prohibition came to be disregarded and also whether the Soudis have to any extent acquired land from the Khonds.

14.6.99

KQ
13-6-99

16/6/99.

To
The Board of Revenue (S.R.)
Jud. Dept.

40/3

Dd. 3-7-99

Government (1899) of Madras.

REVENUE.

Recd.	1899.	*Enclosures*
Regd.		*Spare copies*

G.O., No. 380, 17th June 1899.

JUNE.

Privilege of free distillation.

Approving, with remarks, the Board's proposal to withdraw gradually from the Khonds and Savaras of the Ganjám district the privilege hitherto enjoyed by them of distilling country spirits free of tax for home consumption.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 4094, dated 13th October 1898:—

Read—the following letter from H. D. TAYLOR, Esq., I.C.S., Acting Agent to the Governor in Ganjám, to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, dated Camp Russellkonda, 18th August 1898:—

I have the honour to submit the report promised in my reply, dated 4th instant, to Board's objection memorandum, dated 20th July 1898, regarding the right of the Khonds and Savaras to distil liquor for their *bonâ fide* private consumption, on the occasion of feasts and festivals.

2. With the exception of the 122 low country (Savara) villages of the Parlákimedi Agency to which Abkári Act I of 1886 has been extended, the regulation of liquor traffic in the Agency tracts of this district is governed by the provisions of Act III of 1864 as amended by Act V of 1879. The amendments, however, in the last-mentioned Act do not in any way affect the rights conferred under section 28 of the former Act. This section allows the home manufacture of fermented liquor for *bonâ fide* domestic consumption generally, except in tracts in which it may be declared by the Board to be illegal.

There is nothing in this Act which admits of the distillation of spirits without a license, nor is there any provision in the Act under which Government or the Board may exempt any particular class or classes from the operation of the Act.

3. It is, however, clear that in this district the distinction between distillation and fermentation has not been observed in the Khond and Savara tracts.

4. In Board's Proceedings, No. 1810, dated 29th May 1884, a form of license and revised rules were sanctioned. Licenses for distillation for purpose of sale were up to that time granted only to Khond and Savara Sondis, and not to Uriya Sondis. Rule 2 says that "they (Khonds) will be further allowed to distil spirits free of tax for home consumption and for consumption at village feasts, marriages, &c., but not for sale."

Rule I appears to be quite unnecessary as under section 28 of Act III of 1864 the same privilege is allowed to all residents of the Agency.

Under the latter part of that section the Board could only declare home manufacture to be illegal within a specified area, but could not restrict it to a special class within a specified area.

5. Now, however, the conditions have changed. The liquor shops are annually put up to auction to the general public, instead of fixed fees being levied as provided for in paragraph 5 of the revised rules.

Bidding is not restricted to Khonds and Savaras. But Uriyas and Telugus are allowed also to bid. Hence the revised rules quoted above have practically been abrogated.

6. In any case I consider that the right conferred by those rules on Khonds to *distil* liquor (as apart from the question of brewing fermented liquor) is in no way justified by Act III of 1864, nor does that Act permit of rules being framed to render such distillation without license legal.

7. I would therefore respectfully point out that in my opinion the sanction accorded by the Board to the rules proposed by Mr. Horsefall was *ultra vires* and that, though the distillation of spirits for *bonâ fide* private purposes by Khonds has the sanction of custom and acquiescence by Government authorities, it is opposed to the law on the subject.

8. The throwing open of the right of purchase of shops and distillation of spirits for sale at those shops to the general public has in my opinion now done away with the necessity for allowing a further continuance of this custom.

It may take some time to disabuse the Khonds of the false impression as to their right of distillation which has been allowed to grow up, and any action taken to prevent such distillation for *bonâ fide* private purposes will have to be taken cautiously and gradually. It may, I think, be effected by the action of the Sondis themselves and I do not think it necessary for Revenue officers to interfere except on a specific complaint made by some licensed shopkeeper.

Resolution—Mis. No. 4094, dated 13th October 1898.

Submitted to Government.

2. The Board concurs with the Collector in thinking that the sanction to the Khonds of the Ganjám Agency tracts to distil free for home consumption as well as for village feasts, marriages, &c., is without authority in law and that such distillation should be gradually repressed.

3. The rules sanctioned in Board's Proceedings, No. 1810, dated 29th May 1884, may be cancelled. The Collector will be requested to submit for approval a revised set of rules meeting present requirements.

(True Copy and Extract.)

(Signed) C. G. TODHUNTER,
Acting Secretary.

To the Secretary to Government, Revenue Department.
" Collector of Ganjám.

Read—the following Official Memorandum from the Secretary to Government, Revenue Department, to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, dated 10th February 1899, No. 38:—

With reference to paragraph 2 of its Proceedings, Mis. No. 4094, dated 13th October 1898, the Board of Revenue is requested to be good enough to ascertain from the Agent to the Governor in Ganjám whether the gradual withdrawal from the Khonds of the privilege of free distillation is likely to endanger the public peace or to be otherwise open to objection.

Read—the following Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 1756, dated 24th April 1899:—

Read—Letter from H. D. TAYLOR, Esq., I.C.S., Acting Agent to the Governor in Ganjám, dated 24th March 1899, Dis. No. 55-R/A.G. of 1899:—

Abstract.—Stating that the gradual withdrawal of the privilege now allowed to the Khonds of distilling liquor on occasions of feasts and festivities will not result in any serious political disturbance or breach of the peace or be otherwise open to objection.

Resolution—Mis. No. 1756, dated 24th April 1899.

With reference to Government Official Memorandum, No. 38, dated 10th February 1899, the Board begs to state that the Agent to the Governor in Ganjám considers

that the gradual withdrawal of the privilege of free distillation by Khonds and Savaras will not result in any serious political disturbance or breach of the peace or be otherwise objectionable. The Agent reports that, as a rule, these tribes do not themselves distil spirit but employ others for the purpose and that illicit distillation for purposes of sale is therefore widely prevalent in the Agency tracts. In the interests of licensed shopkeepers it is proposed to withdraw the privilege which is practically not enjoyed by the majority of the Khonds and Savaras at all. No action will be taken by Government officers against unlicensed distillation by the hill tribes, except at the instance of a shopkeeper.

Copy of the Collector's letter is submitted.

(True Extract.)

(Signed) C. G. TODHUNTER,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with one enclosure.
Copy to the Collector of Gánjam.

Enclosure.

From H. D. TAYLOR, Esq., I.C.S., Acting Agent to the Governor in Ganjám, to the Secretary to the Commissioner of Salt, Abkári and Separate Revenue, dated 24th March 1899, Dis. No. 55-R.A.G of 1899.

With reference to Board's Proceedings, Mis. No. 842, dated 24th February 1899, communicating Official Memorandum, No. 38 of Government in the Revenue Department, dated 10th idem, I have the honour to state that I do not consider that the gradual withdrawal of the privilege now allowed, but not authorized by law, to the Khonds of distilling liquor on the occasion of feasts and festivals, will result in any serious political disturbance or breach of the peace, or to be otherwise open to objection.

2. In my original proposals I particularly stated that I did not intend to take any direct action in the matter either through the Magistracy or Police, but only to entertain complaints made by the licensees themselves.

It cannot reasonably be expected that persons will come forward to bid for licensed shops, if illicit distillation is to proceed unchecked.

3. From my inquiries and observations, I have reason to believe that illicit distillation of spirit for sale by unlicensed persons is very prevalent in the Agency tracts. The ordinary Khond does not, as a rule, distil the spirit for himself. He gets it done for him by an unlicensed Sondi. Hence the privilege that I propose to withdraw is in many cases non-existent, the existing practice of *purchasing* liquor from unlicensed persons for feasts and ceremonies being a breach not only of the law, but of the existing permissive rules on the subject.

4. There are exceedingly few liquor shops in the wilder portion of the Khond tracts, and it is only in the immediate vicinity of licensed shops that the restriction of illicit manufacture will in practice be enforced to any considerable extent.

It is in practice quite impossible to say whether unlicensed distillation is for the purpose of private consumption or for sale, but in nine-tenths of the cases there is no doubt that sales take place, and at a much lower rate than in licensed shops.

I therefore think it desirable to withdraw the permission granted by Government in respect of distillation for home consumption subject to the limitation noted by me, viz., that ordinarily departmental action shall not be taken except on the complaint of a licensed vendor.

5. Such licensed vendors are only likely to prefer complaints in clear cases of illicit distillation for sale, in which action can even now be taken by Government officers.

There is, however, no doubt that the privilege as allowed by Government tends to increase the amount of illicit distillation for purpose of sale that actually takes place.

6. The necessary departmental orders will be issued to see that the rules are not worked too rigorously in the first instance.

There is, moreover, no doubt in my mind that as Act III of 1864 at present stands, an officer in his judicial capacity will be bound by the provisions of the Act, and if a complaint is made he will be bound to entertain it, the existing rules notwithstanding.

Order—No. 380, Revenue, dated 17th June 1899.

Separate Revenue No. 66.

The Board's proposal is approved to withdraw gradually from the Khonds and Savaras of the Ganjám district the privilege hitherto enjoyed by them of distilling country spirits free of tax for home consumption. No action should, however, be taken against them except on the complaint of licensed shopkeepers. The Agent should be instructed to act with caution and to watch carefully the effect of the change on the hill tribes.

2. With reference to the Agent's statement in paragraph 3 of his letter that unlicensed Sondis distil liquor for the Khonds, the attention of the Board will be drawn to paragraph 1 (4) of G.O., No. 1631, dated 26th December 1883, which directed the prohibition of distillation by Uriya Sondis. The Agent should be called upon to report how the prohibition came to be disregarded and also whether the Sondis have to any extent acquired land from the Khonds.

(True Extract.)

(Signed) N. E. MARJORIBANKS,
Ag. Secretary to Government.

To the Board of Revenue (Separate Revenue).
„ the Judicial Department.

Exd. Shaik Karim.

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