M.R. G. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1465 Press
Mis.
583-585

Dated 25th May 19 1889

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 25th May 1869.

Read the following papers:—

No. 583. From the Acting Registrar of the High Court of Judicature at Madras, to the Chief Secretary to Government, dated Madras, 21st April 1869, No. 751.

I AM directed to acknowledge your letter to the Chief Justice, dated 7th April 1869, transmitting Proceedings of Government of the same date and copy of Bill for imposing Stamp Duties on certain instruments, and requesting the opinion of the High Court on its provisions.

2. In reply, I am instructed to state that the Chief Justice and Judges have not had leisure to examine very minutely the new Bill, but they take this opportunity of suggesting that it would be advisable to introduce a special provision in the case of an unstamped instrument which is lost or withheld, or out of the reach of process, that the party interested should be allowed to give secondary evidence of it upon payment of Stamp Duty and penalty in the same way as he would if the instrument were forthcoming.

No. 584. From the Acting Secretary to the Board of Revenue, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 27th April 1869:—

I AM directed, with reference to Government Order of the 7th April, to state that, as regards the objections to various clauses in the Stamp Bill, the Board have little to add to their former letter, dated 13th February 1869, No. 961, which they observe was not before the Legislative Council when the amended Bill was introduced.

2. The alterations, with one exception, appear to be advantageous.

3. The objections made by the Board have been anticipated in the following instances:—

Old Bill, Schedule II, No. 10, and Schedule III., No. 8.
New Bill, Schedule II., No. 16.
Board's letter, paragraphs 8 and 10,
Old Bill, Section 18.
New Bill, ,, 19.
Board's letter, paragraph 8.

4. The stamp on counterparts has been reduced to a nominal value.

5. The penalties have been largely reduced—from ten times to five times in the case of documents brought within one year—and a maximum of 1,000 Rs. has been fixed.

Old Bill, Section 22, Clause C.
New Bill, Section 23, Clause C.

6. The period within which Bills executed out of India may be brought to be stamped has been extended, as recommended, from two to three months.

Old Bill, Section 29.
New Bill, Section 30.
Board's letter, paragraph 9.

7. The obligation of writing name in full with date has been removed.

Old Bill, Section 33.
New Bill, ,, 35.
Board's letter, paragraph 9.

8. The addition of the proviso "*knowingly*" has been made as recommended.

Old Bill, Section 47.
Board's letter, paragraph 10.

9. The provision as to the stocks to be maintained by Government, which was pointed out as hardly a fit subject for legislation, has been omitted.

Old Bill, Section 48.
New Bill, Section 50.

10. The restriction objected to has been removed, and the provisions made general.

Old Bill, Section 49.
New Bill, Section 51.

11. The proviso that when several papers are used each shall bear part of the document has been made applicable to the whole of the preceding Section as recommended.

Board's letter, paragraph 5.

12. The period at which the Bill is to become law has likewise been postponed.

13. The exception to which reference has already been made is as to Schedule I., Nos. 14 and 15, where, as has been brought to notice by the Superintendent of Stamps, the words " or part thereof" should be inserted after the words—

For every Rupees 100.
For every ,, 500.
etc., etc.

These words are used in Nos. 5, 6 and 7 of the same Schedule, and in Nos. 1 and 4 of Schedule III. of the original Bill, and appear necessary.

No. 585. ORDER THEREON, 25th May 1869, No. 1,465.

Separate Revenue, No. 19.
Stamps.

RESOLVED that the foregoing papers be brought under the consideration of the Government of India, with advertence to their Secretary's letter in the Legislative Department, under date 24th March 1869, No. 82.

2. Resolved, also, that attention of that Government be requested to the letter from this Government, under date 25th February 1869, No. 490, which was not before the Committee of the Legislative Council when they prepared the revised Stamp Bill.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Acting Registrar of the High Court.

Exd. F. R. Bantleman.

Govt. of {1869} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated May, 25th.

Recd. *Encl.*

G. O., 25th May 1869, No. 1,465.

MAY.

Nos. 583—585.

New Stamp Bill.—Opinions of the High Court and the Board of Revenue on its provisions, ordered to be brought under the consideration of the Government of India.

Revenue Department

No. 1465

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 25 May 1869.

Read the following papers

From the Ag. Registrar of the High Court of Judicature Conveying the opinion of the High Court on the provisions of the new Bill for improving Stamp duties on certain instruments	H.C. 21st April 1869	No. 751
Ag. Secy. to the B. of Revenue Informing that alterations made in New Stamp Bill by Select Committee to which it was referred appear to be advantageous with one exception—	— " — 27th — " — " —	

Resolved that the foregoing papers be brought under the consideration of the Govt. of India, with advertence to their Secy's letter in the Legislative Dept. under date 24th March 1869, No. 82.

Resolved

2. Resolved also that attention of that Govt be requested to the letter from this Government under date 25th February 1869 No 490, which was not before the Committee of the Legislative Council when they prepared the revised Stamp Bill-

14 Folio 1 Dr. 6/1 Pcl Dec: 27
4 — A.G. Registrar High Court

Ed. Attorney General