REVENUE DEPARTMENT,
OOTACAMUND,
23rd October 1871.

No. 233.

No. 1,835.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCIAL DEPARTMENT.

Separate Revenue, No. 12.
Stamps.

SIR,—With reference to your letter dated 14th June 1871, No. 1,232, I am directed to transmit herewith Draft Rules under Section 48 of the General Stamp Act No. XVIII. of 1869, altered according to the instructions of the Government of India.

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

(Signed) W. HUDLESTON,
Secretary to Government.

Exd. F. R. Bantleman.

stamp may be placed within a moderate distance

Rules published under Section 48 *of the General Stamp Act XVIII. of* 1869, *with the approval of the Governor-General in Council.*

1. Such officers of Government as the Board of Revenue or Government may appoint shall be *ex-officio vendors.* Such persons as may be licensed by the Collector or other officer empowered by the Board of Revenue or Government to grant licenses shall be *licensed vendors.*

2. Ex-officio vendors shall sell such stamps as they may be directed by the Board of Revenue or Government to sell.

Licensed vendors shall sell such stamps as are indicated in their licenses.

3. Every license shall be revokable at any time by the authority who granted it.

Every license shall specify the name of the licensee, the description of stamps that are to be sold under the license, the place of vend, and such other matters as may be necessary, and shall be signed by the authority granting it.

4. Subject to Rule VI. every licensed vendor who purchases from Government by payment of ready-money stamps of the individual value of Rs. 5 and under, and to the aggregate amount of Rs. 500 and upwards shall receive the same at a rate of discount not exceeding 6¼ per cent.

5. Subject to Rule VI. every licensed vendor who purchases from Government by payment of ready-money stamps of the individual value of above Rs. 5, and not exceeding Rs. 50, shall receive the same at such discount not exceeding the following rates as may be prescribed by the Board of Revenue or Government:—

Vendors licensed at places where stamps are sold by Government, 3 per cent.

Vendors licensed at other places, 5 per cent.

6. No discount shall be given on any part of the purchase of any stamp exceeding Rs. 50 in value, nor on any stamp supplied on material furnished by the purchaser himself, nor if there be purchased at one time less than the quantity prescribed by these rules in respect of any stamp or value of stamp.

7. The Board of Revenue or Government may authorize licensed vendors to be supplied with stamps without requiring payment in ready-money. Such licensed vendors may receive commission on the stamps sold by them at a rate to be prescribed by the Board of Revenue or Government, not exceeding *two per cent.* In this case sufficient security shall be taken from the licensed vendors for the payment of any sum due by them to Government.

8. Every licensed vendor shall at all times have fixed up in a conspicuous station outside the place of vend a sign-board bearing the name of the vendor, with the words "Licensed Vendor of Stamps" in English and in the Vernacular language of the district. He shall also have in the place of vend the Acts of the legislature and their schedules referring to stamps sold by him, together with these rules in English and the said Vernacular placed so that they can readily be seen and read by purchasers.

9. Every ex-officio vendor selling stamps to any person not a licensed vendor, and every licensed vendor shall write on the back of every stamp-paper which he sells a serial number as determined by order of the Government, the date of sale, the name and residence of the purchaser, and the value of the stamp in full in words, and his own ordinary signature; at the same time he shall make corre-

stamp-paper may be sold without a

ding entries in a register to ... pt by him in such form as the Government may prescribe. Any such vendor who shall knowingly make a false endorsement on the stamp sold, or a false entry in his register, renders himself liable to prosecution under the Indian Penal Code.

10. Every ex-officio or licensed vendor shall, without delay, deliver any stamp which he has in his possession for sale, on demand by any person tendering the value in any currency, which would be accepted on behalf of Government by the Collector of the district.

11. No ex-officio or licensed vendor shall sell any stamps, the use of which has been ordered by competent authority to be discontinued.

12. Every ex-officio or licensed vendor shall keep and render such accounts as may be prescribed by the Board of Revenue or Government, and shall allow the Collector of the district, or any officer duly authorized by such Collector by the Board of Revenue or by the Government, at any time to inspect such accounts, and the register which he is required to keep under Rule IX., and to examine the store of stamps in his possession.

13. Every ex-officio or licensed vendor shall, at any time on the demand of the Collector or other officer duly authorized by the Board of Revenue or Government, deliver up all stamps remaining in his possession, and if such stamps have been paid for, shall receive back the value thereof, less any discount which may have been allowed.

(Signed) W. HUDLESTON,
Secretary to Government.

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Proceedings of the Madras Government, Revenue Department, 23rd October 1871.

No. 232A. From the Secretary to the Government of India, Financial Department, to the Secretary to the Government of Madras, dated Simla, 14th June 1871, No. 1,232 :—

In acknowledging the receipt of your letter No. 835, dated 12th May, I am to express the regret of the Governor-General in Council that he is unable to assent to the Draft Rules under Section 48 of the General Stamp Act No. XVIII. of 1869 therewith submitted.

2. Although the law allows any person to retail stamps the Government is in no way therefore bound, and is not at all prepared to allow discount to all vendors alike.

3. It is the distinct policy of the law that there should be a body of licensed vendors, who will have, to some extent, a monopoly of sale in places where the Government itself does not supply stamps by ex-officio retailers, whose interest it will therefore be to make known the requirements of the stamp laws, and by whose agency, together with a judiciously graduated scale of discount, stamps may be placed within a moderate distance of any and every part of the country.

4. The Government of India is not therefore willing to allow discount to any persons but licensed vendors, beyond the limited extent described in the 6th Rule attached to Mr. Batten's No. 514, dated 18th May 1870. The local Government is at liberty, as intimated to you in paragraph 4 of that letter, to abstain from giving any discount at all save to licensed vendors.

5. On the other hand, I am to refer to paragraph 5 of Mr. Batten's letter, and to repeat that the Government of India is unwilling to allow discount to any ex-officio vendors. It is necessary therefore that the 5th Rule proposed by the Government of Madras should be entirely altered. The policy of the law and of the Government of India requires that the retail of stamps under the General Stamp Act should principally be effected—

1*st*. At every Government treasury and sub-treasury by the ex-officio agency of an officer of the establishment, whom it is not thought necessary, as a rule, to remunerate at all.

2*ndly*.—Elsewhere, by the agency of the licensed vendors who should be encouraged by the grant of discount varying according to the probable profit to be expected at the places of retail. The Government of India does not object to allow discount, moreover, to *all* purchasers of certain kinds of stamps as specified in the 6th Rule already proposed to the Government of Madras; but it is in no way anxious to do so, and no such discount need be allowed unless the Government of Madras desire it.

6. The 1st Rule, submitted with your letter, should be struck out as (though literally correct) misleading as to the policy and intention of the law.

7. The Government of India cannot approve of Rule 6. The discount should obviously vary, if at all, not according to the place at which the licensed retailer purchases his stock from the Government, but according to the nature of the locality for which he takes out his license. The lowest rate of discount should be given to retailers who establish themselves near any Government treasury or sub-treasury, because as the public can obtain stamp freely at such places, the Government is in no way bound to spend money upon the encouragement of

stamps may be placed within a moderate distance

licensed retailers there. At places far distant from any Government treasury or sub-treasury, a larger discount may expediently be given, and a considerable liberty should be left in the hands of the local Government or the Board of Revenue as to the discount to be allowed at such places. The Rule (7) proposed by the Government of India appears to be well adapted to the object in view, and should be substituted in its essence for the 6th Rule submitted by the Government of Madras.

8. The words after "Code" in the 10th Rule of the Government of Madras should be omitted as superfluous and open to objection.

9. In Rules 12, 13, and 14 "ex-officio or licensed" should be inserted before vendor.

10. Rule 15 should be omitted, the words "Board of Revenue or" being inserted before "the Government" in any rules that may be substituted for Rules 5 and 6 and in Rules 8, 13, and 14.

11. It is obviously important that no time should be lost in passing these rules; and I am to request that, with the permission of His Excellency the Governor in Council, rules amended as herein suggested may be resubmitted at the earliest possible date.

(True Copy.)

(Signed) W. HUDLESTON,
Secretary to Government.

Exd. F. R. Bantleman.

Rules published under Section 48 *of the General Stamp Act XVIII. of* 1869, *with the approval of the Governor-General in Council.*

ANY person may vend stamps to the general public without license, but to induce due facilities of supply, the following system shall be adopted :—

2. Such officers of Government as the Government may appoint shall be *ex-officio vendors.* Such persons as may be licensed by the Collector or other officer empowered by the Government to grant licenses, shall be *licensed vendors.*

3. Ex-officio vendors shall sell such stamps as they may be directed by the Government to sell.

Licensed vendors shall sell such stamps as are indicated in their licenses.

4. Every license shall be revokable at any time by the authority who granted it.

Every license shall specify the name of the licensee, the description of stamps that are to be sold under the license, the place of vend, and such other matters as may be necessary, and shall be signed by the authority granting it.

5. Subject to Rule VII. every person who purchases from Government by payment of ready-money stamps of the individual value of Rs. 5 and under, and to the aggregate amount of 5 Rs. and upwards shall receive the same at such discount not exceeding the following rates as may be prescribed by the Government :—

	Per Cent.
Stamps not exceeding in value 5 Rs. each	6¼

6. Subject to Rule VII. every licensed vendor who purchases from Government by payment of ready-money stamps of the individual value of above Rs. 5, and not exceeding Rs. 50, shall receive the same at such discount not exceeding the following rates as may be prescribed by the Government :—

If the stamps be purchased at the head-quarters of any district or sub-division, three per cent.

If purchased elsewhere in the interior of a district, four per cent.

7. No discount shall be given on account of the purchase of any stamp exceeding Rs. 50 in value, nor on any stamp applied on material furnished by the purchaser himself, nor if there be purchased at one time less than the quantity prescribed by these rules in respect of any class or value of stamp.

8. The Government may authorize licensed vendors to be supplied with stamps without requiring payment in ready-money. Such licensed vendors may receive commission on these stamps sold by them at a rate to be prescribed by the Government, not exceeding *two per cent.* In this case sufficient security shall be taken from the licensed vendors for the payment of any sum due by them to Government.

9. Every licensed vendor shall at all times have fixed up in a conspicuous station outside the place of vend a sign-board bearing the name of the vendor, with the words "Licensed Vendor of Stamps" in English and in the Vernacular language of the district. He shall also have in the place of vend the Acts of the legislature and their schedules referring to the stamps sold by him, together with these rules in English and the said Vernacular placed so that they can readily be seen and read by purchasers.

10. Every ex-officio vendor selling stamps to any person not a licensed vendor, and every licensed vendor shall write on the back of every stamp-paper which he sells a serial number as determined by orders of the Government, the date of sale, the name and residence of the purchaser, and the value of the stamp in full in words, and his own ordinary signature; at the same time he shall make corresponding entries in a register to be kept by him in such form as the Government may prescribe. Any such vendor who shall knowingly make a false endorsement on the stamp sold, or a false entry in his register, renders himself liable to prosecution under the Indian Penal Code, for issuing or signing a false certificate, and is punishable in the same manner as if he gave false evidence.

11. Every ex-officio or licensed vendor shall, without delay, deliver any stamp which he has in his possession for sale on demand by any person tendering the value in any currency, which would be accepted on behalf of Government by the Collector of the district.

12. No vendor shall sell any stamps, the use of which has been ordered by competent authority to be discontinued.

13. Every vendor shall keep and render such accounts as may be prescribed by the Government, and shall allow the Collector of the district, or any officer authorized by such Collector or by the Government, at any time to inspect such accounts, and the register which he is required to keep under Rule XI, and to examine the store of stamps in his possession.

14. Every vendor shall, at any time on the demand of the Collector or other officer duly authorized by the Government, deliver up all stamps remaining in his possession, and if such stamps have been paid for, shall receive back the value thereof, less any discount which may have been allowed.

15. Lastly, it shall be lawful for the Governor in Council, by Notification in the *Fort Saint George Gazette*, to delegate to the Board of Revenue all or any of the powers vested in him by these rules.

(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

Ed. F. R. Bantleman.

No. 1232

To

The Secretary to Government

Madras

Financial Dept. Sir,

In acknowledging the receipt of your letter No. 835 dated 12th May, I am to express the regret of the Governor General in Council that he is unable to assent to the Draft Rules under Section 48 of the General Stamp Act No. XVIII of 1869 therewith submitted.

2 Although the law allows any person to retail stamps, the Government is in no way therefore bound, and is not at all prepared to allow discount to all vendors alike.

3 It is the distinct policy of the law that there should be a body of licensed vendors who will have, to some extent, a monopoly of sale in places where the Govt. itself does not supply stamps by Ex. officio retailers whose interest it will therefore be to make known the requirements of the stamp laws, and by whose agency together with a judiciously graduated scale of discount stamps may be placed within a moderate distance

distance of any and every part of the country.

4 The Government of India is not therefore willing to allow discount to any persons but licensed vendors beyond the limited extent described in the 6th Rule attached to Mr Batten's No. 514 dated 18th May 1870 — The local Government is at liberty as intimated to you in para 4 of that letter, to abstain from giving any discount at all even to licensed vendors.

5 On the other hand, I am to refer to para. 5 of Mr Batten's letter and to repeat that the Government of India is unwilling to allow discount to any Ex-officio vendors. It is necessary therefore that the 5th Rule proposed by the Government of Madras should be entirely altered — The policy of the law and of the Government of India requires that the retail of stamps under the General Stamp Act should principally be effected in the Treasury Government treasury and sub-treasury by the Ex-officio agency of an officer of the Establishment whom it is not thought necessary as a rule to remunerate at all.

2nd Elsewhere, by the agency of licensed vendors who should be encouraged by the grant of discount varying according to the probable profit to be expected at the places of retail.

The Government of India does not object to allow discount, or remuneration to all purchasers of certain kinds of stamps as specified in the 6th Rule already proposed to the Govt of Madras — but it is in no way desirous to do so and no such discount need be allowed unless the Govt of Madras desire it.

6 The first rule is submitted with your letter should be struck out as (though literally correct) misleading as to the policy and intention of the law.

7 The Government of India cannot approve of Rule 6 as the discount should obviously vary, if at all, not according to the place at which the licensed retailer purchases his stock from the Government but according to the nature of the locality for which he takes out his license — the lowest rate of discount should be given to retailers who establish themselves in an

any Government treasury or sub-treasury, because as the public can obtain stamps freely at such places the Government is in no way bound to spend money upon the encouragement of licensed retailers there. At places far distant from any Government treasury or sub-treasury, a larger discount may expediently be given, and a considerable liberty should be left in the hands of the local Government or the Board of Revenue as to the discount to be allowed at such places. The Rule (VII) proposed by the Government of India appears to be well adapted to the object in view and should be substituted in its entirety for the 6th Rule submitted by the Government of Madras.

8. The words after Code in the 10th Rule of the Government of Madras, should be omitted as superfluous and open to objection.

9. In Rules 12, 13, & 14 "Ex-officio or licensed" should be inserted before vendors.

10. Rule 15 should be omitted the words "Board of Revenue" being inserted before "the Government" in many Rules that may be substituted for Rules 5 & 6 and in Rules 8, 13 & 14.

11. It is obviously important that no time should be lost in passing these Rules, and I am to request that, with the permission of His Excellency the Governor in Council, Rules amended as herein suggested, may be re-submitted at the earliest possible date.

I have, &c.,

(Sd.) J. Ridsdel, the honour to be,

Simla, } Sir,

The 14th June 1871. } Your most obedt. Servant,

(Sd.) W. Chapman

Secretary to the Govt. of India

W.C. 14/6

VI

Rules published under section 48 of the General Stamp Act XVIII of 1869, with the approval of the Governor General in Council.

1 Such officers of Govt. as the Board of Revt. or Govt. may appoint shall be ex-officio vendors. Such persons as may be licensed by the Collector or other officer empowered by the Board of Revenue or Government to grant licenses, shall be licensed vendors.

2 Ex-officio vendors shall sell such stamps as they may be directed by

by the Board of Revenue or Government to sell.

Licensed vendors shall sell such stamps as are indicated in their licenses.

3 Every licence shall be revokable at any time by the authority who granted it.

Every license shall specify the name of the licensee, the description of stamps that are to be sold under the license, the place of vend, and such other matters as may be necessary, and shall be signed by the authority granting it.

Subject

Madras.

4 Subject to Rule VI every licensed vendor who purchases from Govt. by payment of ready money stamps of the individual value of Rs. 5 and under and to the aggregate amount of 5 Rs. and upwards shall receive the same at a rate of discount not exceeding 6¼ per cent.

5. Subject to Rule VI every licensed vendor who purchases from Govt. by payment of ready money stamps of the individual value

of

of above Rs. 5 and not exceeding Rs. 50 shall receive the same at such discount not exceeding the following rates as may be prescribed by the Board of Revenue or Govt.

a. Vendors licensed at places where stamps are sold by Govt., 3 per cent.

Vendors licensed at other places 5 per cent.

b. No discount shall be given on account of the purchase of any stamps exceeding Rs. 50 in value, nor on any stamps applied on material furnished by the

purchaser himself, nor if there be purchased at one time less than the quantity prescribed by these rules in respect of any class or value of stamps.

c. The Board of Revenue or Government may authorize licensed vendors to be supplied with stamps without requiring payment in ready-money. Such licensed vendors may receive Commission on these stamps sold by them at a rate to be prescribed by the Bd. of Revenue or Govt., not exceeding two per cent. In this case sufficient security shall be taken from the licensed vendors for the payment of

of any sum due by them to Govt.

8. Every licensed vendor shall at all times have fixed up in a conspicuous station outside the place of vend a sign-board bearing the name of the vendor, with the words "Licensed Vendor of Stamps" in English and in the Vernacular language of the district. He shall also have in the place of vend the Act of the legislature and their schedules referring to the stamps sold by him, together with these rules in English and the said Vernacular, placed so that they can readily be seen and read by purchasers.

9. Every ex-officio vendor selling Stamps to any person not a licensed vendor, and every licensed vendor shall write on the back of every stamp paper which he sells a serial number as determined by orders of the government, the date of sale, the name and residence of the purchaser, and the value of the stamp in full in words, and his own ordinary signature, at the same time he shall make corresponding entries in a register to be kept by him in such form as the Government may

may prescribe. Any such vendor who shall knowingly make a false endorsement on the stamps sold, or a false entry in his register, renders himself liable to prosecution under the Indian Penal Code.

10. Every ex-officio or licensed vendor shall, without delay, deliver any stamps which he has in his possession for sale, on demand by any person tendering the value in any currency, which would be accepted on behalf of Government by the Collector of the district.

11. No ex-officio or licensed vendor shall sell any stamps, the use of which has been ordered by competent authority to be discontinued.

12. Every ex-officio or licensed vendor shall keep and render such accounts as may be prescribed by the Board of Revenue or Government, and shall allow the Collector of the district, or any officer duly authorized by such Collector or by the Board of Revenue or

or by the Government,
at any time to inspect
such accounts, and the
register which he is required
to keep under Rule IX, and
to examine the stock of
Stamps in his possession.
13. Every ex-officio or
Licensed vendor shall, at
any time on the demand
of the Collector or other
officer duly authorized by
the Board of Revenue or Govt.,
deliver up all Stamps
remaining in his possession,
and if such Stamps have
been paid for, shall receive
back the value thereof, less
any discount which may

have

have been allowed.

Revenue Department.

To

No. 1835 — 23rd August

The Secretary to the Govt of India,

Financial Department.

Sir,

With reference to your letter dated 14th June 1871, No. 1232, I am directed to transmit herewith Draft Rules under Section 48 of the General Stamp Act No. XVIII of 1869 [struck: framed regarding] to be in force [struck: in stamping] [struck: the issue] of the Govt of India [struck: expressed in the letter] referred to.

J. D.

I would say [struck: ordered]
"altered accordingly
to the instructions"

Sd/ H. H.

No 232-233

C. 28th June/71 R 23rd Oct. /71.