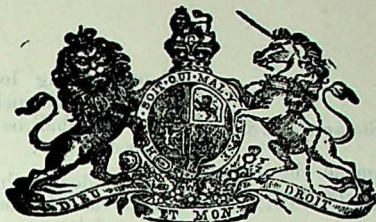


THE



Bombay Government Gazette.

Published by Authority.

THURSDAY, 25TH MARCH 1897.

Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill to amend the Indian Stamp Act, 1879, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 19th March 1897 :—

We, the undersigned, Members of the Select Committee to which the Bill to amend the Indian Stamp Act, 1879, was referred, have considered the Bill and the paper noted in Note by the Hon'ble Joy Ghosh Law, Act, 1879, was referred, have considered the Bill and the paper noted in dated 13th March 1897 [Paper No. 1]. margin, and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

2. As clause 2 of the Bill as introduced referred only to transfers of leases by way of assignment, we have thought it well to insert a new clause which, by the addition of certain words to the heading under No. 39 of Schedule I of the Stamp Act, makes it clear how transfers by way of underlease may be stamped.

3. Certain further amendments of the Stamp law were suggested in committee, but, as we understand that the revision of the Stamp Acts will shortly be undertaken as a whole, we did not deem it advisable to consider them in connection with the present Bill.

4. The publication ordered by the Council has been made as follows :—

<i>Gazette.</i>	<i>In English.</i>				<i>Date.</i>
Gazette of India	6th March 1897.
Fort Saint George Gazette	(Not reported.)
Bombay Government Gazette	"
Calcutta Gazette	10th March 1897.
North-Western Provinces and Oudh Government Gazette	13th March 1897.
Punjab Government Gazette	(Not reported.)
Central Provinces Gazette...	13th March 1897.
Burma Gazette	(Not reported.)
Assam Gazette	(")
Coorg District Gazette	(")
Sind Official Gazette	(")

In the Vernaculars.

None reported.

5. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

(Signed) J. WESTLAND.
 (") M. D. CHALMERS.
 (") P. ANANDA CHARLU.
 (") R. M. SAYANI.
 (") H. E. M. JAMES.

The 17th March 1897.

No. II.

A Bill to amend the Indian Stamp Act, 1897.

WHEREAS it is expedient to amend the Indian Stamp Act, 1879; It is hereby enacted as follows:—

1. After section 7A of the Indian Stamp Act, 1879, as amended by Act No. VI of 1894, section 2, the following section shall be added, namely:—

Addition of new section after section 7A, Act I, 1879.

“7B. (1) Notwithstanding anything in this Act, any local authority raising a loan under the provisions of the Local Authorities Loan Act,

Bonds, debentures or other certificates issued on loans under Act XI, 1879.

1879, or of any other law for the time being in force, by the issue of bonds, debentures or other certificates, shall, in respect of such loan, be chargeable with a duty of eight annas per centum on the total amount of the bonds, debentures or other certificates issued by it, and such bonds, debentures or other certificates need not be stamped and shall not be chargeable with any further duty on renewal, consolidation, sub-division or otherwise.

“(2) The provisions of sub-section (1) exempting certain bonds, debentures or other certificates from being stamped and from being chargeable with certain further duty shall apply to the bonds, debentures or other certificates of

all outstanding loans of the kind mentioned therein, and all such bonds, debentures or other certificates shall be valid, whether the same are stamped or not:

“Provided that nothing herein contained shall exempt the local authority which has issued such bonds, debentures or other certificates from the duty chargeable in respect thereof under the Indian Stamp Act, 1879, prior to its amendment by this Act, when such duty has not already been paid or remitted by order issued under that Act.”

2. In Schedule I, No. 39, of the said Act, after the heading “Lease” in the first column, the words “including an underlease or sublease” shall be added.

Amendment of No. 39 in Schedule I, Act I of 1879.

3. In Schedule I, No. 60, of the said Act, the word “Lease” wherever it occurs, is hereby repealed; and after the said No. 60 the following shall be added, namely:—

Amendment of No. 60 and in addition of new No. 60A in Schedule I, Act I of 1879.

“60A. **TRANSFER OF LEASE** by way of assignment and not by way of underlease.

The same duty as a Conveyance (No. 21).”

J. M. MACPHERSON,

Secretary to the Government of India.

I of 1879.

I of 1879.

XI of 1879.

of 1879.

[Faint, illegible text and signatures at the bottom of the page, including names like M. D. G. and others.]

LEGISLATIVE DEPARTMENT.

The following report of the Select Committee on the Bill to enable local authorities to borrow money for temporary emergencies was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 19th March 1897:—

We, the undersigned, Members of the Select Committee to which the Bill to enable local authorities to borrow money for temporary emergencies was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

From Honorary Secretary, British Indian Association, Calcutta, dated 15th March 1897 (Paper No. 1).

From Secretary to Government of Bengal, Municipal Department, dated 15th March 1897 (Paper No 2).

2. We have added a sub-clause to clause 2 to make it clear that we are not conferring any new spending power on local authorities. The object of the Bill is merely to enable the local authorities, which at present have power to spend their funds on the objects mentioned, to borrow for the like purposes. Any enlargement of spending power is, in our opinion, a matter for local legislation.

7. The publication ordered by the Council has been made as follows:—

In English.

<i>Gazette.</i>	<i>Date.</i>
Gazette of India	27th February 1897.
Fort Saint George Gazette	(Not reported.)
Bombay Government Gazette	(")
Calcutta Gazette	3rd March 1897.
North-Western Provinces and Oudh Government Gazette	6th March 1897.
Punjab Government Gazette	11th March 1897.
Central Provinces Gazette	6th March 1897.
Burma Gazette	13th March 1897.
Assam Gazette	13th March 1897.
Coorg District Gazette	(Not reported.)
Sind Official Gazette	(")

In the Vernaculars.

None reported.

4. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

(Signed) J. WESTLAND.

(") J. WOODBURN.

(") M. D. CHALMERS.

(") P. ANANDA CHARLU.

(") P. PLAYFAIR.

(") JOY GOBIND LAW.

The 17th March 1897.

No. II.

A Bill to enable local authorities to borrow money for temporary emergencies.

WHEREAS it is expedient to enable local authorities to borrow money for temporary emergencies; It is hereby enacted as follows:—

1. (1) This Act may be called the Local Authorities (Emergency) Loans Act, 1897;

(2) It extends to the whole of British India; and

(3) It shall come into force at once.

2. (1) Notwithstanding anything contained in the Local Authorities Loan Act, 1879, or in any other law for the time being in force, a local authority as defined in that Act may, with the previous sanction of the Governor General in Council, borrow money on the security of its funds for any of the following purposes, namely:—

- (a) the giving of relief and the establishment and maintenance of relief-works in time of famine or scarcity;
- (b) the prevention of the outbreak or spread of any dangerous epidemic disease; and
- (c) any measures which may be connected with, or ancillary to, any of the purposes aforesaid.

(2) Nothing in this section shall be deemed to authorize any local authority to borrow or spend money for any purpose for which under the law for the time being in force it is not authorized to apply its funds.

3. (1) Every loan under the last foregoing section shall be made subject to such terms and conditions as the Governor General in Council may think fit to impose.

(2) In particular and without prejudice to the generality of the provisions of sub-section (1), the Governor General in Council may, by general or special order, prescribe—

- (a) the terms on which the Governor General in Council or the Local Government may lend money under this Act;
- (b) the manner of recording and enforcing the conditions on which such loans are to be made;
- (c) the inspection of any works carried out or expenditure incurred by means of such loans;
- (d) the instalments by which such loans are to be repaid, the interest to be charged thereon and the manner and time of repaying such loans and of paying the interest thereon; and
- (e) the accounts to be kept in respect of such loans.

4. The provisions of sections 6 and 7 of the Local Authorities Loan Act, XI of 1879. Application of section 6, Act XI, 1879. shall apply to the borrowing of money under this Act.

5. The provisions of this Act shall apply to any loan made after the first day of January 1897, and before the commencement of this Act by, or with the sanction of, the Governor General in Council to any local authority for any of the purposes hereinbefore mentioned, and every such loan shall be deemed to have been made under this Act.

J. M. MACPHERSON,
Secretary to the Government of India.