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1905.
ASSAM SECRETARIAT.
GENERAL DEPARTMENT.

FINANCE—A.

April.

Nos. 15-23.

Remission of court fees on applications for copies in certain cases in which the copies themselves are exempt.

REFERENCES TO FORMER CASES.

Department, date, and Nos., or File No. and year.	Brief Title of File.
Fin. & Com., B, May 1891, Nos. 170-193.	Remission, etc., of court fees duty.
A-6—35.	

REFERENCES TO LATER CASES.

Department, date, and Nos.	Brief Title of File.
Genl A June 1905 = 53/58 (1A 9)	

(To be continued on back, if necessary.)

PAPERS OTHER THAN PROCEEDINGS.

I.—Printed.

Notes and orders.

II.—Not printed.

Nil.

1905.

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- No. 18.—From the Superintendent of Stamps, Assam, No. 935, dated the 22nd July 1904.
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- No. 23.—To the Superintendent of Stamps, Assam, No. 1425F., dated the 10th April 1905.

NOTES.

FINANCE—A, APRIL 1905.

Nos. 15-23.

Remission of court fees on applications for copies in certain cases in which the copies themselves are exempt.

FROM THE UNDER-SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE AND COMMERCE DEPARTMENT,
No. 1958S.R., DATED THE 26TH MARCH 1904.

Forwards copy of a letter, No. 3437, dated the 10th December 1903, in which the Government of the United Provinces suggests that the fees leviable under article 1 of Schedule II of the Court Fees Act, VII of 1870, on applications for copies should be remitted in all cases where the copies for which the application is made have been exempted from fees under the Act, and enquires what the existing practice is in respect of such applications, and requests that the Government of India may be favoured with Chief Commissioner's opinion on the proposal.

Assistant Secretary,

Notification No. 4650,* dated the 10th September 1889, is a Government of India Notification, and it has been incorporated in our Stamp Manual. The suggestion made by the Government of the United Provinces is that the fees

leviable under article 1 of Schedule II of the Court Fees Act on applications for copies should be remitted in all cases where the copies for which application is made have been exempted from fees under the Act.

We may send copy to the Superintendent of Stamps for favour of report as to what the existing practice is in respect of such applications and for an expression of his opinion on the proposal made by the United Provinces Government.

M. S.—5th April 1904.

Chief Commissioner,

11th April 1904.

12th April 1904.

F. J. MONAHAN.

J. B. FULLER.

[To the Superintendent of Stamps, Assam, No. 386Fin.—1433F., dated the 13th April 1904.]

FROM THE SUPERINTENDENT OF STAMPS, ASSAM, No. 935, DATED THE 22ND JULY 1904.

Submits his reply *re* proposed remission of court fees on applications for copies in all cases in which the fees for the copies themselves have been remitted.

Secretary,

The purport of Mr. Davis' reply has been entered in draft.

23rd July 1904.

H. CORKERY.

Chief Commissioner,

For approval of the draft reply.

26th July 1904.

Draft approved.

28th July 1904.

F. J. MONAHAN.

J. B. FULLER.

[To the Secretary to the Government of India, Finance and Commerce Department, No. 838Fin.—2763F., dated the 1st August 1904.]

FROM THE UNDER-SECRETARY TO THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT, No. 1406Exc.,
DATED THE 14TH MARCH 1905.

Forwards, for information, copy of a letter addressed to the Government of the United Provinces to the effect that the Government of India have been pleased to remit the fees chargeable under Schedule II of the Court Fees Act, VII of 1870, on applications for copies of the documents detailed in clauses (4) and (15) of Finance and Commerce Department No. 4650, dated the 10th September 1889, and that they have not considered it desirable to extend the concession to applications for copies falling under clause 9 of the Notification of 1889 referred to above.

Issue draft.

Secretary,

For perusal.

8th April 1905.

H. CORKERY.

[Memorandum to the Superintendent of Stamps, Assam, No. 1425F., dated the 10th April 1905.]

Chief Commissioner,

14th April 1905.

14th April 1905.

L. J. KERSHAW.

J. B. FULLER.

ASSAM SECRETARIAT PROCEEDINGS.

Finance—A.

April 1903.

Remission of court fees on applications for copies in certain cases in which the copies themselves are exempt.

No. 15.

No. 1958S.R., dated Calcutta, the 26th March 1904.

From—R. A. MANT, Esq., I.C.S., Under-Secretary to the Government of India, Finance and Commerce Department,

To—The Hon'ble the Chief Commissioner of Assam.

I am directed to forward a copy of a letter, No. 3437, dated the 10th December 1903, in which the Government of the United Provinces suggests that the fees leviable under article 1 of Schedule II of the Court Fees Act, 1870 (VII of 1870), on applications for copies should be remitted in all cases where the copies for which application is made have been exempted from fees under the Act.

2. I am to enquire what the existing practice is in respect of such applications, and to request that the Government of India may be favoured with your opinion regarding this proposal.

No. 16.

No. 3437, dated Allahabad, the 10th December 1903.

From—S. H. BUTLER, Esq., I.C.S., Secretary to Government, United Provinces,

To—The Secretary to the Government of India, Home Department.

I am directed to state the following case for the orders of the Government of India.

2. Notification No. 4650, dated the 10th September 1889, clauses (4), (9), and (15), remits court fees in the case of certain copies, but it does not remit the fees payable on applications for such copies. In practice such applications appear generally to be received without a court fee.

3. The case has arisen with reference to the High Court's criminal rule 104, and the High Court have suggested that the fees should be formally remitted on applications for copies which fall under that rule. It seems desirable, however, to include applications for all copies which are themselves exempt. I am accordingly to suggest that the Governor General in Council be moved to remit under section 35, Act VII of 1870, fees on applications for copies in all cases in which the fees for the copies themselves have been remitted.

No. 17.

No. 386Fin.—1433F., dated Shillong, the 13th April 1904.

Memo. by—The Secretary to the Chief Commissioner of Assam.

Copy of Government of India, Finance and Commerce Department, letter No. 1958S.R., dated the 26th March 1904, and enclosure, forwarded to the Superintendent of Stamps, Assam, for favour of an expression of opinion on the proposal made by the Government of the United Provinces.

Fin. 17-19. Remission of court-fees on applications for copies in cases in which the copies themselves are exempt.

2. He is requested to report what the existing practice is in regard to the levy of fees under the Court Fees Act on applications for copies in cases where the copies for which application has been made have been exempted under the Act.

No. 18.

No. 935, dated Shillong, the 22nd July 1904.

From—A. W. DAVIS, Esq., I.C.S., Superintendent of Stamps, Assam,

To—The Secretary to the Chief Commissioner of Assam.

With reference to your memorandum No. 386Fin.—1433F., dated the 13th April 1904, forwarding, for an expression of my opinion, a letter from the Government of the United Provinces, suggesting that the fees leviable under article 1, section II of the Court Fees Act (VII of 1870) on applications for copies should be remitted in all cases where the copies for which application is made have been exempted from fees under the Act, I have the honour to say that, except in the districts of Gcalpara, Kamrup, Lakhimpur, the Naga and the Khasi Hills, the existing practice in regard to such applications is *not* to levy any court fees.

All the Deputy Commissioners of the province whom I have consulted in the matter, with the sole exception of Major Gurdon, support the proposal made by the Government of the United Provinces. I am of opinion that the proposal is a sound one and should be adopted.

No. 19.

No. 888Fin.—2763F., dated Shillong, the 1st August 1904.

From—The Secretary to the Chief Commissioner of Assam,

To—The Secretary to the Government of India, Finance and Commerce Department.

In reply to Mr. Mant's letter No. 1958S.R., dated the 26th March 1904, I am directed to say that, in the majority of the districts of this province, the existing practice is not to levy any fee under article 1 8, Schedule II of the Court Fees Act (VII of 1870) on applications for copies where the copies for which application is made have been exempted from fees under the Act.

2. The Chief Commissioner is in favour of the proposal made by the Government of the United Provinces that the fees leviable on such applications should be remitted under section 35 of the Court Fees Act.

No. 1406 Exc.

GOVERNMENT OF INDIA.
FINANCE DEPARTMENT.
SEPARATE REVENUE.
Stamps.

FROM

H. F. HOWARD, Esq.,
Under-Secy. to the Govt. of India,

TO

THE SECRETARY TO THE GOVERNMENT OF THE UNITED PROVINCES,
SEPARATE REVENUE (STAMPS) DEPARTMENT.

Calcutta, the 14th March 1905.

SIR,

WITH reference to your letter No. 3437, dated the 10th December 1903, I am directed to forward a copy of a Notification in this Department, No. 1180 Exc., dated the 24th February 1905, from which it will be seen that the Government of India have been pleased to remit the fees chargeable under Schedule II of the Court Fees Act, 1870 (VII of 1870), on applications for copies of the documents detailed in clauses (4) and (15) of the Notification in the Finance and Commerce Department, No. 4650, dated the 10th September 1889.

2. The Government of India have not considered it desirable to extend the concession to applications for copies falling under clause (9) of the Notification of 1889, referred to above.

I have the honour to be,

SIR,

Your most obedient Servant,

H. F. HOWARD,

Under-Secy. to the Govt. of India.

COPY forwarded to the

Government of Madras, Revenue Department,
Government of Bombay, Revenue Department,
Government of Bengal, Financial Department,
Government of the Punjab, Judicial and General Department,
Government of Burma, Revenue Department,
Honourable the Chief Commissioner, Central Provinces,
Honourable the Chief Commissioner, Assam,
Honourable the Chief Commissioner, Coorg,
Honourable the Agent to the Governor General and Chief Commissioner, North-West Frontier Province,
Honourable the Chief Commissioner, Ajmer-Merwara,
Honourable the Agent to the Governor General and Chief Commissioner, Baluchistan,
Honourable the Resident at Hyderabad,

for information, with
reference to the correspondence ending with

the letter from that Government, No. 824, dated the 30th July 1904.
the letter from that Government, No. 8950, dated the 19th November 1904.
the letter from that Government, No. 301 T.F., dated the 3rd May 1904.
the letter from that Government, No. 551 S., dated the 21st June 1904.
the letter from that Government, No. 918-2 S.-18, dated the 29th June 1904.
Captain Plowden's letter No. 3999, dated the 6th July 1904.
Mr. Monahan's letter No. 888—Fince.-2763 F., dated the 1st August 1904.
Mr. Moss King's letter No. 732, dated the 2nd May 1904.
his letter No. 344 S., dated the 4th May 1904.
his letter No. 594-386-11, dated the 8th June 1904.
his letter No. 1757 Z., dated the 5th August 1904.
his letter No. 346 J., dated the 13th June 1904.

By order,

H. F. HOWARD,

Under-Secy. to the Govt. of India.

No. 1180 Exc., dated 24th February 1905.

NOTIFICATION—By the Government of India, FINANCE DEPARTMENT.

In exercise of the power conferred by section 35 of the Court Fees Act, 1870 (VII of 1870), the Governor General in Council is pleased to remit the fees chargeable under Schedule II of the said Act on applications for copies of the documents detailed in clauses (4) and (15) of the Notification of the Department of Finance and Commerce, No. 4650, dated the 10th September 1889.

No. 1181 Exc.

Copy forwarded to the Home and Revenue and Agricultural Departments, for information.

No. 23.

No. 1425F., dated Shillong, the 10th April 1905.

Memo. by—The Secretary to the Chief Commissioner of Assam.

Copy of Government of India, Finance Department, letter No. 1406Exc., dated the 14th March 1905, and enclosure, forwarded to the Superintendent of Stamps, Assam, for information, with reference to the correspondence ending with his letter No. 935, dated the 22nd July 1904.

GOVERNMENT OF INDIA
FINANCE DEPARTMENT
SEPARATE REVENUE
Stamps.

To

THE SECY. TO THE GOVT, OF THE UNITED
PROVINCES
SEPARATE REVENUE (STAMPS) DEPARTMENT.

No. 1406 Exc.

Dated Calcutta, the 14th March 1905.

*Remission of court-fees on applications for copies in
certain cases in which the copies themselves are
exempt.*