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2010/Fin LRB-7 dt 10.12.13 of Board of Revenue  
Ins 5.8952/60 dt 4.1.64 of IGR

The order cited above received from the Board of Revenue together with a copy of the concurred order is forwarded to all Registrars for information and necessary action.

Para 8 referred to in Para 2 of Board's order is extracted below for information

(8) Consistent with the observation in the Supreme Court Judgment referred to and in the light of the clarification made therein it appears that the following basic principles can be enunciated.

- (i) When two or more persons authorize the agent to act in their separate and joint capacities such a group comes under Section 5 and should be taken as embracing as many persons as there are persons.
- (ii) Any capacity which the principal contemplates as a future contingency but not in existence at the time of execution is the former may be ignored as uncertain.
- (iii) Any interest of a number of persons in a joint concern may be taken as a single matter.
- (iv) When a person possesses a personal capacity and a representative capacity such as a trustee, the capacity may be treated as distinct and separate, provided each is unconnected with the other and there is community of interest.