

CHAPTER VII  
CRIMINAL OFFENCES AND PROCEDURE

**62. Penalty for executing, etc., instrument not duly stamped.**—(1) Any person—

(a) drawing, making, issuing, endorsing, or transferring, or signing otherwise than as a witness, or presenting for acceptance or payment, or accepting, paying or receiving payment of or in any manner negotiating, any bill of exchange <sup>92</sup>[payable otherwise than on demand], <sup>93</sup>[\*] or promissory note without the same being duly stamped; or

(b) executing or signing otherwise than as a witness any other instrument chargeable with duty without the same being duly stamped; or

(c) voting or attempting to vote under any proxy not duly stamped, shall, for every such offence, be punishable with fine which may extend to five hundred rupees:

Provided that, when any penalty has been paid in respect of any instrument under section 35, section 40 or section 61, the amount of such penalty shall be allowed in reduction of the fine (if any) subsequently imposed under this section in respect of the same instrument upon the person who paid such penalty.

(2) If a share warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall be punishable with fine which may extend to five hundred rupees.

**63. Penalty for failure to cancel adhesive stamp.**—Any person required by section 12 to cancel an adhesive stamp, and failing to cancel such stamp in manner prescribed by that section, shall be punishable with fine which may extend to one hundred rupees.

**64. Penalty for omission to comply with provisions of section 27.**—Any person who, with intent to defraud the Government,—

(a) executes any instrument in which all the facts and circumstances required by section 27 to be set forth in such instrument are not fully and truly set forth; or

(b) being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all such facts and circumstances; or

(c) does any other act calculated to deprive the Government of any duty or penalty under this Act, shall be punishable with fine which may extend to five thousand rupees.

**65. Penalty for refusal to give receipt, and for devices to evade duty on receipts.**—Any person, who—

(a) being required under section 30 to give a receipt, refuses or neglects to give the same; or

92. Inserted by Act 5 of 1927, S. 5.

93. The word "cheque" omitted by Act 5 of 1927, S. 5.

(b) with intent to defraud the Government of any duty, upon a payment of money or delivery of property exceeding twenty rupees in amount or value, gives a receipt for an amount or value not exceeding twenty rupees, or separates or divides the money or property paid or delivered, shall be punishable with fine which may extend to one hundred rupees.

**66. Penalty for not making out policy, or making one not duly stamped.**—Any person who—

(a) receives, or takes credit for, any premium or consideration for any contract of insurance and does not, within one month after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance; or

(b) makes, executes or delivers out any policy which is not duly stamped, or pays or allows in account, or agrees to pay or allow in account, any money upon, or in respect of, any such policy, shall be punishable with fine which may extend to two hundred rupees.

**67. Penalty for not drawing full number of bills or marine policies purporting to be in sets.**—Any person drawing or executing a bill of exchange <sup>94</sup>[payable otherwise than on demand] or a policy of marine insurance purporting to be drawn or executed in a set of two or more, and not at the same time drawing or executing on paper duly stamped the whole number of bills or policies of which such bill or policy purports the set to consist, shall be punishable with fine which may extend to one thousand rupees.

**68. Penalty for post-dating bills, and for other devices to defraud the revenue.**—Any person who,—

(a) with intent to defraud the Government of duty, draws, makes or issues any bill of exchange or promissory note bearing a date subsequent to that on which such bill or note, is actually drawn or made; or

(b) knowing that such bill or note has been so post-dated, endorses, transfers, presents for acceptance or payment, or accepts, pays or receives payment of, such bill or note, or in any manner negotiates the same; or

(c) with the like intent, practises or is concerned in any act, contrivance or device not specially provided for by this Act or any other law for the time being in force,

shall be punishable with fine which may extend to one thousand rupees.

**69. Penalty for breach of rule relating to sale of stamps and for unauthorized sale.**—(a) Any person appointed to sell stamps who disobeys any rule made under section 74; and

(b) any person not so appointed who sells or offers for sale any stamp (other than a <sup>95</sup>[ten naye paise or five naye paise] adhesive stamp), shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

**70. Institution and conduct of prosecutions.**—(1) No prosecution in respect of any offence punishable under this Act or any Act hereby repealed, shall be instituted without the sanction of the Collector or such other officer as <sup>95a</sup>[the

94. Inserted by Act 5 of 1927, S. 5.

95. Substituted by Act 19 of 1958, S. 10, for "one anna or half an anna" (w.e.f. 1-10-1958).

95a. Substituted by A.O. 1937, for "the L.G."

<sup>96</sup>[State Government]] generally, or the Collector specially, authorises in that behalf.

(2) The Chief Controlling Revenue-authority, or any officer generally or specially authorised by it in this behalf, may stay any such prosecution or compound any such offence.

(3) The amount of any such composition shall be recoverable in the manner provided by section 48.

**71. Jurisdiction of Magistrates.**—No Magistrate other than a Presidency Magistrate or a Magistrate whose powers are not less than those of a Magistrate of the second class, shall try any offence under this Act.

**72. Place of trial.**—Every such offence committed in respect of any instrument may be tried in any district or presidency-town in which such instrument is found, as well as in any district or presidency-town in which such offence might be tried under the Code of Criminal Procedure for the time being in force.

## CHAPTER VIII SUPPLEMENTAL PROVISIONS

**73. Books, etc., to be open to inspection.**—Every public officer having in his custody any registers, books, records, papers, documents or proceedings, the inspection whereof may tend to secure any duty, or to prove or lead to the discovery of any fraud or omission in relation to any duty, shall at all reasonable times permit any person authorised in writing by the Collector to inspect for such purpose the registers, books, papers, documents and proceedings, and to take such notes and extracts as he may deem necessary, without fee or charge.

**74. Powers to make rules relating to sale of stamps.**—The <sup>96</sup>[State Government] <sup>97</sup>[\* \* \*] may make rules for regulating—

- (a) the supply and sale of stamps and stamped papers,
- (b) the persons by whom alone such sale is to be conducted, and
- (c) the duties and remuneration of such persons:

Provided that such rules shall not restrict the sale of <sup>98</sup>[ten naye paise or five naye paise] adhesive stamps.

**75. Power to make rules generally to carry out Act.**—The <sup>96</sup>[State Government] may make rules to carry out generally the purposes of this Act, and may by such rules prescribe the fines, which shall in no case exceed five hundred rupees, to be incurred on breach thereof.

**76. Publication of rules.**—<sup>99</sup>[(1) All rules made under this Act shall be published in the Official Gazette.]

(2) All rules published as required by this section shall, upon such publication, have effect as if enacted by this Act.

<sup>99a</sup>[(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.]

96. Substituted by A.O. 1950, for "collecting Government".

97. The words "subject to the Control of the Governor-General in Council" omitted by A.O. 1937.

98. Substituted by Act 19 of 1958, S. 10, for "one anna or half an anna" (w.e.f. 1-10-1958).

99. Substituted by A.O. 1937, for sub-S. (1).

99a. Inserted by Act 4 of 2005, S. 2 and Sch. (w.e.f. 11-1-2005).

<sup>1</sup>[76-A. Delegation of certain powers.—<sup>2</sup>[<sup>3</sup>\* \* \*] The State Government may, by notification in the Official Gazette, delegate—

(a) all or any of the powers conferred on it by sections 2(9), 33(3)(b), 70(1), 74 and 78 to the Chief Controlling Revenue-authority, and

(b) all or any of the powers conferred on the Chief Controlling Revenue-authority by sections 45(1), (2), 56(1) and 70(2) to such subordinate Revenue-authority as may be specified in the notification.]

77. Saving as to Court-fees.—Nothing in this Act contained shall be deemed to affect the duties chargeable under any enactment for the time being in force relating to Court-fees.

<sup>4</sup>[77-A. Saving as to certain stamps.—All stamps in denominations of annas four or multiples thereof shall be deemed to be stamps of the value of twenty-five naye paise or, as the case may be, multiples thereof and shall, accordingly, be valid for all the purposes of this Act.]

78. Act to be translated and sold cheaply.—Every State Government shall make provision for the sale of translations of this Act in the principal vernacular languages of the territories administered by it at a price not exceeding <sup>5</sup>[twenty-five naye paise] per copy.

79. Repeal.—[Repealed by the Repealing and Amending Act, 1914 (10 of 1914), section 3 and schedule II.]

#### SCHEDULE I

#### STAMP-DUTY ON INSTRUMENTS

(See section 3)

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
1. <b>ACKNOWLEDGMENT</b> of a debt exceeding twenty rupees in amount or value, written or signed by, or on behalf of, a debtor in order to supply evidence of such debt in any book (other than a banker's pass-book) or on a separate piece of paper when such book or paper is left in the creditor's possession: provided that such acknowledgment does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.	One anna.
2. <b>ADMINISTRATION-BOND</b> , including a bond given under section 256 of the Indian Succession Act, 1865* (10 of 1865), section 6 of the Government Savings Banks Act, 1873 (5 of 1873), section 78 of the Probate and Administration Act, 1881 (5 of 1881), or section 9 or section 10 of the Succession Certificate Act, 1889 (7 of 1889)—	
(a) where the amount does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for such amount.
(b) in any other case.....	Five rupees.

\*Now see the Succession Act, 1925 (39 of 1925).

1. Inserted by Act 4 of 1914, S. 2 and Sch.

2. Substituted by A.O. 1937, for "The Local Government may, by notification in the local Official Gazette".

3. The words "The Central Government, subject to the provisions of section 124(1) of the Government of India Act, 1935, and" omitted by A.O. 1950.

4. Inserted by Act 19 of 1958, S. 11 (w.e.f. 1-10-1958).

5. Substituted by Act 19 of 1958, S. 12, for "four annas" (w.e.f. 1-10-1958).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
3. <b>ADOPTION-DEED</b> , that is to say, any instrument (other than a Will) recording an adoption or conferring or purporting to confer an authority to adopt. <b>ADVOCATE.</b> See ENTRY AS AN ADVOCATE (No. 30).	Ten rupees.
4. <b>AFFIDAVIT</b> , including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing.	One rupee.
<i>Exemptions</i>	
Affidavit or declaration in writing when made—	
¶[(a) as a condition of enrolment under the Indian Army Act, 1911 (8 of 1911)*: 7[or the Indian Air Force Act, 1932 (14 of 1932)**];]	
(b) for the immediate purpose of being filed or used in any Court or before the officer of any Court; or	
(c) for the sole purpose of enabling any person to receive any pension or charitable allowance.	
8[5. <b>AGREEMENT OR MEMORANDUM OF AN AGREEMENT—</b>	
(a) if relating to the sale of a bill of exchange;	Two annas.
(b) if relating to the sale of a Government security or share in an incorporated company or other body corporate;	Subject to a maximum of ten rupees, one anna for every Rs. 10,000 or part thereof of the value of the security or share.
(c) if not otherwise provided for.	Eight annas.
<i>Exemptions</i>	
Agreement or memorandum of agreement—	
(a) for or relating to the sale of goods or merchandise exclusively, not being a NOTE OR MEMORANDUM chargeable under No. 43;	
(b) made in the form of tenders to the Central Government for or relating to any loan.	
9[***]]	
<b>AGREEMENT TO LEASE.</b> See LEASE (No. 35).	
10[6. <b>AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE</b> , that is to say, any instrument evidencing an agreement relating to—	
(1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security); or	
(2) the pawn or pledge of movable property, where such deposit, pawn or pledge has been made by way of	

\*Now see the Army Act, 1950 (46 of 1950).

\*\*Now see the Air Force Act, 1950 (45 of 1950).

6. Substituted by Act 18 of 1928, S. 2 and Sch. I, for the original clause.

7. Inserted by Act 14 of 1932, S. 130 and Sch.

8. Substituted by Act 6 of 1910, S. 3, for the original Article.

9. Cl. (c) omitted by A.O. 1950.

10. Substituted by Act 15 of 1904, S. 8, for the original Article.

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—	
(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement;	The same duty as a Bill of Exchange [No. 13(b)] for the amount secured.
(b) if such loan or debt is repayable not more than three months from the date of such instrument.	Half the duty payable on a Bill of Exchange [No. 13(b)] for the amount secured.
<i>Exemption</i>	
Instrument of pawn or pledge of goods if unattested.]	
7. <b>APPOINTMENT IN EXECUTION OF A POWER</b> , whether of trustees or of property, movable or immovable, where made by any writing not being a Will.	Fifteen rupees.
8. <b>APPRAISEMENT OR VALUATION</b> made otherwise than under an order of the Court in the course of a suit—	
(a) where the amount does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for such amount.
(b) in any other case .....	Five rupees.
<i>Exemptions</i>	
(a) Appraisal or valuation made for the information of one party only, and not being in any manner obligatory between parties either by agreement or operation of law.	
(b) Appraisal of crops for the purpose of ascertaining the amount to be given to a landlord as rent.	
9. <b>APPRENTICESHIP-DEED</b> , including every writing relating to the service or tuition of any apprentice, clerk or servant, placed with any master to learn any profession, trade or employment, not being <b>ARTICLES OF CLERKSHIP</b> (No. 11).	Five rupees.
<i>Exemption</i>	
Instruments of apprenticeship executed by a Magistrate under the *Apprentices Act, 1850 (19 of 1850), or by which a person is apprenticed by or at the charge of any public charity.	
10. <b>ARTICLES OF ASSOCIATION OF A COMPANY</b> .	Twenty-five rupees.
<i>Exemption</i>	
Articles of any Association not formed for profit and registered under section 26 of the **Indian Companies Act, 1882 (6 of 1882).	
See also <b>MEMORANDUM OF ASSOCIATION OF A COMPANY</b> (No. 39).	
11. <b>ARTICLES OF CLERKSHIP</b> or contract whereby any person first becomes bound to serve as a clerk in order to his admission as an attorney in any High Court.	Two hundred and fifty rupees.
<b>ASSIGNMENT</b> . See <b>CONVEYANCE</b> (No. 23), <b>TRANSFER</b> (No. 62) and <b>TRANSFER OF LEASE</b> (No. 63), as the case may be.	

\*Now see the Apprentices Act, 1961 (52 of 1961).

\*\*Now see the Companies Act, 1956 (1 of 1956).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<b>ATTORNEY.</b> See ENTRY AS AN ATTORNEY (No. 30) and POWER-OF-ATTORNEY (No. 48).	
<b>AUTHORITY TO ADOPT.</b> See ADOPTION-DEED (No. 3).	
<b>12. AWARD</b> , that is to say, any decision in writing by an arbitrator or umpire, not being an award directing a partition, on a reference made otherwise than by an order of the Court in the course of a suit—	
(a) where the amount or value of the property to which the award relates as set forth in such award does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for such amount.
(b) in any other case.....	Five rupees.
<i>Exemption</i>	
Award under the *Bombay District Municipal Act, 1873 (Bom. Act VI of 1873), section 81 or the Bombay Hereditary Offices Act, 1874 (Bom. Act III of 1874), section 18.	
<b>13. BILL OF EXCHANGE</b> [as defined by section 2(2) <sup>11</sup> [* *]], not being a BOND, bank-note or currency note—	
<sup>12</sup> [***]	<sup>12</sup> [***]
<sup>13</sup> (b) where payable otherwise than on demand—	
(i) where payable not more than three months after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	<sup>14</sup> [Thirty paise].
if it exceeds Rs. 500 but does not exceed Rs. 1,000;	<sup>15</sup> [Sixty paise].
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000;	<sup>15</sup> [Sixty paise].
(ii) where payable more than three months but not more than six months after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	<sup>15</sup> [Sixty paise].
if it exceeds Rs. 500 but does not exceed Rs. 1,000;	<sup>16</sup> [One rupee twenty paise].
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000;	<sup>16</sup> [One rupee twenty paise].
(iii) where payable more than six months but not more than nine months after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	<sup>17</sup> [Ninety paise].

\*Now see the Bombay District Municipal Act, 1901 (Bombay Act 3 of 1901).

11. The word, brackets and figure "and (3)" omitted by Act 5 of 1927, S. 5.

12. The entry (a) together with the entry "one anna" in the second column omitted by Act 5 of 1927, S. 5.

13. Substituted by Act 76 of 1956, S. 4 and Sch. II, for the former items (b) and (c) (w.e.f. 1-2-1957).

14. Substituted by S.O. 130(E), dated 28-1-2004, for "One rupee twenty-five naye paise" (w.e.f. 1-3-2004).

15. Substituted by S.O. 130(E), dated 28-1-2004, for "Two rupees fifty naye paise" (w.e.f. 1-3-2004).

16. Substituted by S.O. 130(E), dated 28-1-2004, for "Five rupees" (w.e.f. 1-3-2004).

17. Substituted by S.O. 130(E), dated 28-1-2004, for "Three rupees seventy-five naye paise" (w.e.f. 1-3-2004).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
if it exceeds Rs. 500 but does not exceed Rs. 1,000;	<sup>18</sup> [One rupee eighty paise].
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000;	<sup>18</sup> [One rupee eighty paise].
(iv) where payable more than nine months but not more than one year after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	<sup>19</sup> [One rupee twenty-five paise].
if it exceeds Rs. 500 but does not exceed Rs. 1,000;	<sup>20</sup> [Two rupees fifty paise].
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000;	<sup>20</sup> [Two rupees fifty paise].
(c) where payable more than one year after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	<sup>20</sup> [Two rupees fifty paise]
if it exceeds Rs. 500 but does not exceed Rs. 1,000;	<sup>21</sup> [Five rupees].
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000.	<sup>21</sup> [Five rupees].

*Note 1.*—In supersession of the notification of the Government of India No. 15, dated 15-5-1957 and No. 6, dated 14-7-1961, the proper stamp duty chargeable on bills of exchange specified in items (b) and (c) in Article 13 of the First Schedule to the said Act and promissory notes specified in item (b) of Article 49 of the said Schedule shall be reduced to one-half of the rates specified against the said items (b) and (c) of the said Article 13:

Provided that the rates of stamp duty specified in column (2) shall not apply to usance bills of exchange or promissory notes drawn or made for securing finance from the Reserve Bank of India, Industrial Finance Corporation of India, Industrial Development Bank of India, State Financial Corporation, Commercial banks and Co-operative banks for (a) *bona fide* commercial or trade transactions, (b) seasonal agricultural operations or the marketing of crops, or (c) production or marketing activities of cottage or small scale industries and such instruments shall continue to bear the rates of stamp duty at one-fifth of the rates specified against the said items (b) and (c) in the said Article 13.

*Explanation 1.*—For the purposes of the proviso—

(a) the expression “agricultural operations” includes animal husbandry and allied activities jointly undertaken with agricultural operations;

(b) “crops” include products of agricultural operations;

(c) the expression “marketing of crops” includes the processing of crops prior to marketing by agricultural producers or any organisation of such producers.

*Explanation 2.*—The duty chargeable shall, wherever necessary, be rounded off to the next five paise.—S.O. 199(E), dated 16-3-1976, published in the Gazette of India, Ext., Pt. II, S. 3(ii), p. 594, dated 16-3-1976. [See also Note 2, below].

*Note 2.*—In supersession of the notifications of Government of India in the Ministry of Finance (Department of Revenue) published in the Gazette of India, Extraordinary, Part II, section 3 *vide* numbers S.O. 198(E), dated 16-3-1976 and S.O. 199(E), dated 16-3-1976, except as respects things done or omitted to be done before such supersession, the Central Government hereby directs that with effect from 1-3-2004, the proper stamp duty chargeable on instruments, mentioned under column (1) in Articles 13, 14, 27, 37, 47, 49, 52 and 62(a) in the Schedule I of the Act, shall be reduced and stamp duty payable thereon, after such reduction, shall be as specified in the Table.—S.O. 130(E), dated 28-1-2004, published in the Gazette of India, Ext., Pt. II, S. 3(ii), Sl. No. 108, dated 28-1-2004.

18. Substituted by S.O. 130(E), dated 28-1-2004, for “Seven rupees fifty naye paise” (w.e.f. 1-3-2004).

19. Substituted by S.O. 130(E), dated 28-1-2004, for “Five rupees” (w.e.f. 1-3-2004).

20. Substituted by S.O. 130(E), dated 28-1-2004, for “Ten rupees” (w.e.f. 1-3-2004).

21. Substituted by S.O. 130(E), dated 28-1-2004, for “Twenty rupees” (w.e.f. 1-3-2004).



<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<b>14. BILL OF LADING</b> (including a through bill of lading).	<sup>22</sup> [One rupee]. N.B.—If a bill of lading is drawn in parts, the proper stamp therefore must be borne by each one of the set.
<i>Exemptions</i>	
(a) Bill of lading when the goods therein described are received at a place within the limits of any port as defined under the *Indian Ports Act, 1889 (10 of 1889), and are to be delivered at another place within the limits of the same port.	
(b) Bill of lading when executed out of <sup>23</sup> [India] and relating to property to be delivered in <sup>23</sup> [India].	
<b>15. BOND</b> [as defined by section 2(5)] not being a DEBENTURE (No. 27), and not being otherwise provided for by this Act, or by the Court-fees Act, 1870 (7 of 1870),—	Two annas.
where the amount or value secured does not exceed Rs. 10;	Two annas.
where it exceeds Rs. 10 and does not exceed Rs. 50;	Four annas.
Ditto 50 ditto 100;	Eight annas.
Ditto 100 ditto 200;	One rupee.
Ditto 200 ditto 300;	One rupee eight annas.
Ditto 300 ditto 400;	Two rupees.
Ditto 400 ditto 500;	Two rupees eight annas.
Ditto 500 ditto 600;	Three rupees.
Ditto 600 ditto 700;	Three rupees eight annas.
Ditto 700 ditto 800;	Four rupees.
Ditto 800 ditto 900;	Four rupees eight annas.
Ditto 900 ditto 1,000;	Five rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.	Two rupees eight annas.
See ADMINISTRATION-BOND (No. 2), BOTTOMRY BOND (No. 16), CUSTOMS-BOND (No. 26), INDEMNITY BOND (No. 34), RESPONDENTIA BOND (No. 56), SECURITY-BOND (No. 57).	

*Exemptions*

Bond, when executed by—

- (a) headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876 (Beng. Act III of 1876), section 99, for the due performance of their duties under that Act;
- (b) any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility shall not be less than a specified sum per mensem.

\*Now see the the relevant provisions of the Indian Ports Act, 1908 (15 of 1908) to be referred to.

22. Substituted by S.O. 130(E), dated 28-1-2004, for "Two rupees" (w.e.f. 1-3-2004).

23. Substituted by Act 43 of 1955, S. 2, for "the States" (w.e.f. 1-4-1956).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
16. <b>BOTTOMRY BOND</b> , that is to say, any instrument whereby the master of a sea-going ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage.	The same duty as a Bond (No. 15) for the same amount.
17. <b>CANCELLATION</b> —Instrument of (including any instrument by which any instrument previously executed is cancelled), if attested and not otherwise provided for. <i>See also</i> RELEASE (No. 55), REVOCATION OF SETTLEMENT (No. 58-B), SURRENDER OF LEASE (No. 61), REVOCATION OF TRUST (No. 64-B).	Five rupees.
18. <b>CERTIFICATE OF SALE</b> (in respect of each property put up as a separate lot and sold) granted to the purchaser of any property sold by public auction by a Civil or Revenue Court, or Collector or other Revenue Officer—	
(a) where the purchase-money does not exceed Rs. 10;	Two annas.
(b) where the purchase-money exceeds Rs. 10 but does not exceed Rs. 25;	Four annas.
(c) in any other case.....	The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the purchase-money only.
19. <b>CERTIFICATE OR OTHER DOCUMENT</b> evidencing the right or title of the holder thereof, or any other person, either to any shares, scrip or stock in or of any incorporated company, or other body corporate, or to become proprietor of shares, scrip or stock in or of any such company or body. <i>See also</i> LETTER OF ALLOTMENT OF SHARES (No. 36).	<sup>24</sup> [Two annas].
20. <b>CHARTER-PARTY</b> , that is to say, any instrument (except an agreement for the hire of a tug-steamer) whereby a vessel or some specified principal part thereof is let for the specified purposes of the charterer, whether it includes a penalty clause or not.	One rupee.
21. <sup>25</sup> [***]	
22. <b>COMPOSITION-DEED</b> , that is to say, any instrument executed by a debtor whereby he conveys his property for the benefit of his creditors, or whereby payment of a composition or dividend on their debts is secured to the creditors, or whereby provision is made for the continuance of the debtor's business, under the supervision of inspectors or under letters of licence, for the benefit of his creditors.	Ten rupees.
23. <b>CONVEYANCE</b> [as defined by section 2(10)] not being a TRANSFER charged or exempted under No. 62,— where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50;	Eight annas.

24. Substituted by Act 43 of 1923, S. 2, for "One anna".

25. Article 21 omitted by Act 5 of 1927, S. 5.

Description of Instrument				Proper Stamp-duty
where it exceeds Rs. 50 but does not exceed Rs. 100;				One rupee.
Ditto	100	ditto	200;	Two rupees.
Ditto	200	ditto	300;	Three rupees.
Ditto	300	ditto	400;	Four rupees.
Ditto	400	ditto	500;	Five rupees.
Ditto	500	ditto	600;	Six rupees.
Ditto	600	ditto	700;	Seven rupees.
Ditto	700	ditto	800;	Eight rupees.
Ditto	800	ditto	900;	Nine rupees.
Ditto	900	ditto	1,000;	Ten rupees.
and for every Rs. 500 or part thereof in excess of Rs. 1,000.				Five rupees.

*Exemption*

<sup>26</sup>[(a)] Assignment of copyright by entry made under the Indian Copyright Act, 1847<sup>27</sup>, section 5.

<sup>28</sup>[(b)] For the purpose of this article, the portion of duty paid in respect of a document falling under Article No. 23-A shall be excluded while computing the duty payable in respect of a corresponding document relating to the completion of the transaction in any union territory under this article.]

**CO-PARTNERSHIP-DEED.** See PARTNERSHIP (No. 46).

<sup>28</sup>[**23-A. CONVEYANCE IN THE NATURE OF PART PERFORMANCE** contracts for the transfer of immovable property in the nature of part performance in any Union territory under section 53-A of the Transfer of Property Act, 1882 (4 of 1882).

Ninety per cent. of the duty as a Conveyance (No. 23).]

**24. COPY OR EXTRACT** certified to be a true copy or extract, by or by order of any public officer and not chargeable under the law for the time being in force relating to Court-fees—

- (i) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee;  
(ii) in any other case.....

Eight annas.

One rupee.

*Exemptions*

(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose.

<sup>29</sup>[(b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, <sup>30</sup>[divorces,] deaths or burials.]

**25. COUNTERPART OR DUPLICATE** of any instrument chargeable with duty and in respect of which the proper duty has been paid,—

26. Numbered as Cl. (a) by the Registration and Other Related Laws (Amendment) Act, 2001 (48 of 2001), S. 11 (w.e.f. 24-9-2001).

27. Now see the Indian Copyright Act, 1957 (14 of 1957), S. 11.

28. Inserted by the Registration and Other Related Laws (Amendment) Act, 2001 (48 of 2001), S. 11 (w.e.f. 24-9-2001).

29. Substituted by Act 5 of 1906, S. 7, for Cls. (b) and (c).

30. Inserted by Act 10 of 1914, S. 2 and Sch. I.

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
(a) if the duty with which the original instrument is chargeable does not exceed one rupee;	The same duty as is payable on the original.
(b) in any other case.....	One rupee.
<i>Exemption</i>	
Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.	
<b>26. CUSTOMS-BOND—</b>	
(a) where the amount does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for such amount.
(b) in any other case.....	Five rupees.
<sup>31</sup> [ <b>27. DEBENTURE</b> (whether a mortgage debenture or not), being a marketable security transferable—	0.05% per year of the face value of the debenture, subject to the maximum of 0.25% or rupees twenty five lakhs whichever is lower.
(a) by endorsement or by a separate instrument of transfer	
(b) by delivery	
<i>Explanation.</i> —The term "Debenture" includes any interest coupons attached thereto but the amount of such coupons shall not be included in estimating the duty.	
<i>Exemption</i>	
A debenture issued by an incorporated company or other body corporate in terms of a registered mortgage-deed, duly stamped in respect of the full amount of debentures to be issued thereunder, whereby the company or body borrowing makes over, in whole or in part, their property to trustees for the benefit of the debentures holders:	
Provided that the debentures so issued are expressed to be issued are expressed to be issued in terms of the said mortgage-deed.]	
<b>DECLARATION OF ANY TRUST.</b> <i>See</i> TRUST (No. 64).	
<b>28. DELIVERY ORDER IN RESPECT OF GOODS</b> , that is to say, any instrument entitling any person therein named, or his assigns, or the holder thereof to the delivery of any goods lying in any dock or port, or in any warehouse in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being signed by or on behalf of the owner of such goods, upon the sale or transfer of the property therein, when such goods exceed in value twenty rupees.	One anna.
<b>DEPOSIT OF TITLE-DEEDS.</b> <sup>32</sup> [ <i>See</i> AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE (No. 6).]	
<b>DISSOLUTION OF PARTNERSHIP.</b> <i>See</i> PARTNERSHIP (No. 46).	
<b>29. DIVORCE</b> —Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage.	One rupee.
<b>DOWER</b> —Instrument of. <i>See</i> SETTLEMENT (No. 58).	
<b>DUPLICATE.</b> <i>See</i> COUNTERPART (No. 25).	

31. Substituted by S.O. 2189(E), dated 12-9-2008.

32. Substituted by Act 15 of 1904, S. 8, for "See AGREEMENT BY WAY OF EQUITABLE MORTGAGE (No. 6)".

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<p><b>30. ENTRY AS AN ADVOCATE, VAKIL OR ATTORNEY ON THE ROLL OF ANY HIGH COURT,</b> <sup>33</sup>[under the Indian Bar Councils Act, 1926 (38 of 1926), or] in exercise of powers conferred on such Court by Letters Patent or by the <sup>34</sup>Legal Practitioners Act, 1884 (9 of 1884)—</p> <p>(a) in the case of an Advocate or Vakil;</p> <p>(b) in the case of an Attorney.</p> <p style="text-align: center;"><i>Exemption</i></p> <p>Entry of an advocate, vakil or attorney on the roll of any High Court when he has previously been enrolled in a High Court.</p> <p><sup>35</sup>[***]</p>	<p>Five hundred rupees.</p> <p>Two hundred and fifty rupees.</p>
<p><b>31. EXCHANGE OF PROPERTY</b>—Instrument of.</p> <p style="text-align: center;"><i>EXTRACT. See COPY (No. 24).</i></p>	<p>The same duty as a Conveyance (No. 23) for a consideration equal to the value of the property of greatest value as set forth in such instrument.</p>
<p><b>32. FURTHER CHARGE</b>—Instrument of, that is to say, any instrument imposing a further charge on mortgaged property—</p> <p>(a) when the original mortgage is one of the description referred to in clause (a) of Article No. 40 (that is, with possession);</p> <p>(b) when such mortgage is one of the description referred to in clause (b) of Article No. 40 (that is, without possession)—</p> <p>(i) if at the time of execution of the instrument of further charge possession of the property is given, or agreed to be given under such instrument;</p> <p>(ii) if possession is not so given.....</p>	<p>The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the further charge secured by such instrument.</p> <p>The same duty as a Conveyance (No. 23) for a consideration equal to the total amount of the charge (including the original mortgage and any further charge already made) less the duty already paid on such original mortgage and further charge.</p> <p>The same duty as a Bond (No. 15) for the amount of the further charge secured by such instrument.</p>

33. Inserted by Act 38 of 1926, S. 19 and Sch.

34. Repealed by Act 1 of 1938.

35. The entry relating to "EQUITABLE MORTGAGE" omitted by Act 15 of 1904, S. 8.

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
33. <b>GIFT</b> —Instrument of, not being a <b>SETTLEMENT</b> (No. 58) or <b>WILL OR TRANSFER</b> (No. 62).	The same duty as a <b>Conveyance</b> (No. 23) for a consideration equal to the value of the property as set forth in such instrument.
<b>HIRING AGREEMENT</b> or agreement for service. <i>See</i> <b>AGREEMENT</b> (No. 5).	
34. <b>INDEMNITY-BOND</b> .	The same duty as a <b>Security-Bond</b> (No. 57) for the same amount.
<b>INSPECTORSHIP-DEED</b> . <i>See</i> <b>COMPOSITION-DEED</b> (No. 22).	
<b>INSURANCE</b> . <i>See</i> <b>POLICY OF INSURANCE</b> (No. 47).	
35. <b>LEASE</b> , including an under-lease or sub-lease and any agreement to let or sub-let—	
(a) where by such lease the rent is fixed and no premium is paid or delivered—	
(i) where the lease purports to be for a term of less than one year;	The same duty as a <b>Bond</b> (No. 15) for the whole amount payable or deliverable under such lease.
(ii) where the lease purports to be for a term of not less than one year but not more than three years;	The same duty as a <b>Bond</b> (No. 15) for the amount or value of the average annual rent reserved.
(iii) where the lease purports to be for a term in excess of three years;	The same duty as a <b>Conveyance</b> (No. 23) for a consideration equal to the amount or value of the average annual rent reserved.
(iv) where the lease does not purport to be for any definite term;	The same duty as a <b>Conveyance</b> (No. 23) for a consideration equal to the amount or value of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.
(v) where the lease purports to be in perpetuity;	The same duty as a <b>Conveyance</b> (No. 23) for a consideration equal to one-fifth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease.
(b) where the lease is granted for a fine or premium or for money advanced and where no rent is reserved;	The same duty as a <b>Conveyance</b> (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.

Description of Instrument	Proper Stamp-duty
(c) where the lease is granted for a fine or premium or for money advanced in addition to rent reserved.	<p>The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable on such lease if no fine or premium or advance had been paid or delivered:</p> <p>Provided that, in any case when an agreement to lease is stamped with the <i>ad valorem</i> stamp required for a lease, and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed eight annas.</p>
<i>Exemptions</i>	
(a) Lease, executed in the case of a cultivator and for the purposes of cultivation (including a lease of trees for the production of food or drink) without the payment or delivery of any fine or premium, when a definite term is expressed and such term does not exceed one year, or when the average annual rent reserved does not exceed one hundred rupees.	
<sup>36</sup> [* * * *]	
36. LETTER OF ALLOTMENT OF SHARES in any company or proposed company, or in respect of any loan to be raised by any company or proposed company. <i>See also</i> CERTIFICATE OR OTHER DOCUMENT (No. 19).	<sup>37</sup> [Two annas].
37. LETTER OF CREDIT, that is to say, any instrument by which one person authorises another to give credit to the person in whose favour it is drawn. LETTER OF GUARANTEE. <i>See</i> AGREEMENT (No. 5).	<sup>38</sup> [One rupee].
38. LETTER OF LICENCE, that is to say, any agreement between a debtor and his creditors that the latter shall, for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion.	Ten rupees.
39. MEMORANDUM OF ASSOCIATION OF A COMPANY—	
(a) if accompanied by articles of association under section 37 of the <sup>39</sup> Indian Companies Act, 1882 (6 of 1882);	Fifteen rupees.

36. Exemption (b) omitted by A.O. 1937.

37. Substituted by Act 43 of 1923, S. 2, for "one anna".

38. Substituted by S.O. 130(E), dated 28-1-2004, for "Two rupees" (w.e.f. 1-3-2004).

39. Now *see* the Companies Act, 1956 (1 of 1956).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
(b) if not so accompanied. <i>Exemption</i>	Forty rupees.
Memorandum of any association not formed for profit and registered under section 26 of the <sup>40</sup> Indian Companies Act, 1882 (6 of 1882).	
<b>40. MORTGAGE-DEED</b> , not being <sup>41</sup> [an AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE (No. 6)], BOTTOMRY BOND (No. 16), MORTGAGE OF A CROP (No. 41), RESPONDENTIA BOND (No. 56), OR SECURITY-BOND (No. 57)—	
(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given;	The same duty as a Conveyance (No. 23) for a consideration equal to the amount secured by such deed.
(b) when <sup>42</sup> [* *] possession is not given or agreed to be given as aforesaid;	The same duty as a Bond (No. 15) for the amount secured by such deed.
<i>Explanation.</i> —A mortgagor who gives to the mortgagee a power-of-attorney to collect rent or a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.	
(c) when a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above-mentioned purpose where the principal or primary security is duly stamped—	
for every sum secured not exceeding Rs. 1,000;	Eight annas.
and for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	Eight annas.
<i>Exemptions</i>	
(1) Instruments, executed by persons taking advances under the Land Improvement Loans Act, 1883 (19 of 1883), or the Agriculturists' Loans Act, 1884 (12 of 1884), or by their sureties as security for the repayment of such advances.	
(2) Letter of hypothecation accompanying a bill of exchange. <sup>43</sup> [* * * *]	
<b>41. MORTGAGE OF A CROP</b> , including any instrument evidencing an agreement to secure the repayment of a loan made upon any mortgage of a crop, whether the crop is or is not in existence at the time of the mortgage—	
(a) when the loan is repayable not more than three months from the date of the instrument—	
for every sum secured not exceeding Rs. 200;	One anna.
and for every Rs. 200 or part thereof secured in excess of Rs. 200;	One anna.

40. Now see the Companies Act, 1956 (1 of 1956).

41. Substituted by Act 15 of 1904, S. 8, for "AN AGREEMENT TO MORTGAGE (No. 6)".

42. The words "at the time of execution" omitted by Act 15 of 1904, S. 8.

43. *Exemption* (3) omitted by Act 15 of 1904, S. 8.



<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
(b) when the loan is repayable more than three months, but not more than <sup>44</sup> [eighteen months], from the date of the instrument— for every sum secured not exceeding Rs. 100; and for every Rs. 100 or part thereof secured in excess of Rs. 100.	<sup>45</sup> [Two annas]. <sup>45</sup> [Two annas].
<b>42. NOTARIAL ACT</b> , that is to say, any instrument, endorsement, note, attestation, certificate or entry not being a PROTEST (No. 50) made or signed by a Notary Public in the execution of the duties of his office, or by any other person lawfully acting as a Notary Public. <i>See also</i> PROTEST OF BILL OR NOTE (No. 50).	One rupee.
<sup>46</sup> [ <b>43. NOTE OR MEMORANDUM</b> sent by a Broker or Agent to his principal intimating the purchase or sale on account of such principal— (a) of any goods exceeding in value twenty rupees; (b) of any stock or marketable security exceeding in value twenty rupees.	Two annas. Subject to a maximum of ten rupees, one anna for every Rs. 10,000 or part thereof of the value of the stock or security.
<b>44. NOTE OF PROTEST BY THE MASTER OF A SHIP.</b> <i>See also</i> PROTEST BY THE MASTER OF A SHIP (No. 51).	Eight annas.
<b>ORDER FOR THE PAYMENT OF MONEY.</b> <i>See</i> BILL OF EXCHANGE (No. 13).	
<b>45. PARTITION</b> —Instrument of [as defined by section 2(15)].	The same duty as a Bond (No. 15) for the amount of the value of the separated share or shares of the property. <i>N.B.</i> —The largest share remaining after the property is partitioned (or, if there are two or more shares of equal value and not smaller than any of the other shares, then one of such equal shares) shall be deemed to be that from which the other shares are separated: Provided always that— (a) when an instrument of partition containing an

44. Substituted by Act 5 of 1906, S. 7, for "one year".

45. Substituted by Act 15 of 1904, S. 8, for "four annas".

46. Substituted by Act 6 of 1910, S. 3, for the original Article 43.

*Description of Instrument**Proper Stamp-duty*

agreement to divide property in severalty is executed and a partition is effected in pursuance of such agreement, the duty chargeable upon the instrument effecting such partition shall be reduced by the amount of duty paid in respect of the first instrument, but shall not be less than eight annas;

(b) where land is held on Revenue Settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at not more than five times the annual revenue;

(c) where a final order for effecting a partition passed by any Revenue-authority or any Civil Court, or an award by an arbitrator directing a partition, is stamped with the stamp required for an instrument of partition, and an instrument of partition in pursuance of such order or award is subsequently executed, the duty on such instrument shall not exceed eight annas.

**46. PARTNERSHIP—****A.—INSTRUMENT OF—**

(a) where the capital of the partnership does not exceed Rs. 500; Two rupees eight annas.

(b) in any other case.... Ten rupees.

**B.—DISSOLUTION OF.....** Five rupees.

<sup>47</sup>[PAWN OR PLEDGE. *See* AGREEMENT RELATING TO DEPOSIT OF TITLE-DEEDS, PAWN OR PLEDGE (No. 6)].

**47. POLICY OF INSURANCE—**

<sup>48</sup>[A.—SEA-INSURANCE (*see* section 7)—

(1) for or upon any voyage—

(i) where the premium or consideration does not exceed the rate of <sup>49</sup>[\* \*] one-eighth per centum of the amount insured by the policy;

(ii) in any other case, in respect of every full sum of <sup>52</sup>[one thousand five hundred rupees] and also any fractional part of <sup>52</sup>[one thousand five hundred rupees] insured by the policy;

<i>If drawn singly</i>	<i>If drawn in duplicate for each part</i>
<sup>50</sup> [Five paise].	<sup>51</sup> [Five paise].
<sup>50</sup> [Five paise].	<sup>51</sup> [Five paise].

47. Inserted by Act 15 of 1904, S. 8.

48. Substituted by Act 5 of 1906, S. 7, for the original Divisions A and B.

49. The words "fifteen naye paise or" omitted by Act 14 of 1961, S. 16.

50. Substituted by S.O. 130(E), dated 28-1-2004, for "Ten naye paise" (w.e.f. 1-3-2004).

51. Substituted by S.O. 130(E), dated 28-1-2004, for "Five naye paise" (w.e.f. 1-3-2004).

52. Substituted by Act 18 of 1928, S. 2 and Sch. I, for "one thousand rupees".

Description of Instrument	Proper Stamp-duty
<p>(2) for time—</p> <p>(iii) in respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy—</p> <p>where the insurance shall be made for any time not exceeding six months;</p> <p>where the insurance shall be made for any time exceeding six months and not exceeding twelve months.</p>	<p><sup>53</sup>[Ten paise].</p> <p><sup>54</sup>[Five paise].</p> <p><sup>55</sup>[Ten paise].</p> <p><sup>53</sup>[Five paise].</p>
<p><sup>56</sup>[B.—FIRE-INSURANCE AND OTHER CLASSES OF INSURANCE, NOT ELSEWHERE INCLUDED IN THIS ARTICLE, COVERING GOODS, MERCHANDISE, PERSONAL EFFECTS, CROPS, AND OTHER PROPERTY AGAINST LOSS OR DAMAGE]—</p>	
<p>(1) in respect of an original policy—</p> <p>(i) when the sum insured does not exceed Rs. 5,000;</p> <p>(ii) in any other case.....;</p> <p>and</p>	<p><sup>57</sup>[Twenty-five paise].</p> <p><sup>58</sup>[Fifty paise].</p>
<p>(2) in respect of each receipt for any payment of a premium on any renewal of an original policy.</p>	<p>One-half of duty payable in respect of the original policy in addition to the amount, if any, chargeable under No. 53].</p>
<p>C.—ACCIDENT AND SICKNESS INSURANCE—</p>	
<p>(a) against railway accident, valid for a single journey only.</p>	<p><sup>54</sup>[Five paise].</p>
<p><i>Exemption</i></p>	
<p>When issued to a passenger travelling by the intermediate or the third class in any railway;</p> <p>(b) in any other case—for the maximum amount which may become payable in the case of any single accident or sickness where</p>	<p><sup>53</sup>[Ten paise]:</p> <p><sup>59</sup>[Provided that, in case of a policy of insurance against death by accident when the annual premium payable does not exceed <sup>60</sup>[Rs. 2.50] per Rs. 1,000, the duty on such instrument shall be <sup>54</sup>[five paise] for every Rs. 1,000 or part thereof of the</p>

53. Substituted by S.O. 130(E), dated 28-1-2004, for "Fifteen naye paise" (w.e.f. 1-3-2004).

54. Substituted by S.O. 130(E), dated 28-1-2004, for "Ten naye paise" (w.e.f. 1-3-2004).

55. Substituted by S.O. 130(E), dated 28-1-2004, for "Twenty-five naye paise" (w.e.f. 1-3-2004).

56. Substituted by Act 43 of 1923, S. 2, for "FIRE-INSURANCE".

57. Substituted by S.O. 130(E), dated 28-1-2004, for "Fifty naye paise" (w.e.f. 1-3-2004).

58. Substituted by S.O. 130(E), dated 28-1-2004, for "One rupee" (w.e.f. 1-3-2004).

59. Substituted by Act 18 of 1928, S. 2 and Sch. I.

60. Substituted by Act 19 of 1958, S. 13, for "Rs. 2.80" (w.e.f. 1-10-1958).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>	
such amount does not exceed maximum amount which may become payable under it]. Rs. 1,000, and also where such amount exceeds Rs. 1,000, for every Rs. 1,000 or part thereof.		
<sup>61</sup> [CC.—INSURANCE BY WAY OF INDEMNITY against liability to pay damages on account of accidents to workmen employed by or under the insurer or against liability to pay compensation under the Workmen's Compensation Act, 1923 (8 of 1923), for every Rs. 100 or part thereof payable as premium.	<sup>62</sup> [Five paise].	
<sup>63</sup> [D.—LIFE INSURANCE <sup>64</sup> [OR GROUP INSURANCE OR OTHER INSURANCE] NOT SPECIFICALLY PROVIDED FOR, except such a RE-INSURANCE, as is described in Division E of this article—	<i>If drawn singly</i>	<i>If drawn in duplicate for each part</i>
	(i) for every sum insured not exceeding Rs. 250;	<sup>65</sup> [Ten paise].
	(ii) for every sum insured exceeding Rs. 250 but not exceeding Rs. 500;	<sup>66</sup> [Ten paise].
	(iii) for every sum insured exceeding Rs. 500 but not exceeding Rs. 1,000 and also for every Rs. 1,000 or part thereof in excess of Rs. 1,000.	<sup>67</sup> [Twenty paise].
		<sup>62</sup> [Five paise].
		<sup>65</sup> [Five paise].
		<sup>68</sup> [Ten paise].

<sup>69</sup>[N.B.—If a policy of group insurance is renewed or otherwise modified whereby the sum insured exceeds the sum previously insured on which stamp-duty has been paid, the proper stamp must be borne on the excess sum so insured.]

#### *Exemption*

Policies of life-insurance granted by the Director General of Post Offices in accordance with rules for Postal Life-Insurance issued under the authority of the Central Government.]

61. Inserted by Act 15 of 1925, S. 2.

62. Substituted by S.O. 130(E), dated 28-1-2004, for "Ten naye paise" (w.e.f. 1-3-2004).

63. Substituted by Act 18 of 1928, S. 2 and Sch. I, for the original Division D.

64. Substituted by Act 43 of 1955, S. 7, for "OR OTHER INSURANCE" (w.e.f. 1-4-1956).

65. Substituted by S.O. 130(E), dated 28-1-2004, for "Fifteen naye paise" (w.e.f. 1-3-2004).

66. Substituted by S.O. 130(E), dated 28-1-2004, for "Twenty-five naye paise" (w.e.f. 1-3-2004).

67. Substituted by S.O. 130(E), dated 28-1-2004, for "Forty naye paise" (w.e.f. 1-3-2004).

68. Substituted by S.O. 130(E), dated 28-1-2004, for "Twenty naye paise" (w.e.f. 1-3-2004).

69. Inserted by Act 43 of 1955, S. 7 (w.e.f. 1-4-1956).

Description of Instrument	Proper Stamp-duty
<p>E.—RE-INSURANCE BY AN INSURANCE COMPANY, which has granted a POLICY <sup>70</sup>[of the nature specified in Division A or Division B of this article], with another company by way of indemnity or guarantee against the payment on the original insurance of a certain part of the sum insured thereby.</p>	<p>One-quarter of the duty payable in respect of the original insurance but not less than <sup>71</sup>[five paise] or more than <sup>72</sup>[fifty paise]:  <sup>73</sup>[Provided that if the total amount of duty payable is not a multiple of <sup>74</sup>[five paise], the total amount shall be rounded off to the next higher multiple of <sup>74</sup>[five paise].</p>
<p><i>General Exemption</i></p>	
<p>Letter of cover or engagement to issue a policy of insurance: Provided that, unless such letter of engagement bears the stamp prescribed by this Act for such policy, nothing shall be claimable thereunder, nor shall it be available for any purpose, except, to compel the delivery of the policy therein mentioned.</p>	
<p><b>48. POWER-OF-ATTORNEY</b> [as defined by section 2(21)], not being a PROXY (No. 52)—</p>	
<p>(a) when executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents;</p>	<p>Eight annas.</p>
<p>(b) when required in suits or proceedings under the Presidency Small Cause Courts Act, 1882 (15 of 1882);</p>	<p>Eight annas.</p>
<p>(c) when authorising one person or more to act in a single transaction other than the case mentioned in clause (a);</p>	<p>One rupee.</p>
<p>(d) when authorising not more than five persons to act jointly and severally in more than one transaction or generally;</p>	<p>Five rupees.</p>
<p>(e) when authorising more than five but not more than ten persons to act jointly and severally in more than one transaction or generally;</p>	<p>Ten rupees.</p>
<p>(f) when given for consideration and authorising the attorney to sell any immovable property;</p>	<p>The same duty as a Conveyance (No. 23) for the amount of the consideration.</p>
<p>(g) in any other case.....</p>	<p>One rupee for each person authorised.</p>
<p><i>N.B.</i>—The term "registration" includes every operation incidental to registration under the <sup>75</sup>Indian Registration Act, 1877 (3 of 1877).</p>	
<p><i>Explanation.</i>—For the purposes of this article more persons than one when belonging to the same firm shall be deemed to be one person.</p>	

70. Substituted by Act 43 of 1923, S. 2, for "of Sea-Insurance or a policy of Fire-Insurance".

71. Substituted by S.O. 130(E), dated 28-1-2004, for "ten naye paise" (w.e.f. 1-3-2004).

72. Substituted by S.O. 130(E), dated 28-1-2004, for "one rupee" (w.e.f. 1-3-2004).

73. Inserted by Act 14 of 1961, S. 16.

74. Substituted by S.O. 130(E), dated 28-1-2004, for "five naye paise" (w.e.f. 1-3-2004).

75. Now see the Indian Registration Act, 1908 (16 of 1908).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<sup>80</sup> [49. <b>PROMISSORY NOTE</b> [as defined by section 2(22)]— (b) where payable otherwise than on demand.	One-fifth of the duty as applicable to Bill of Exchange (No. 13 of Schedule I) for the same amount payable otherwise on demand].
50. <b>PROTEST OF BILL OR NOTE</b> , that is to say, any declaration in writing made by a Notary Public, or other person lawfully acting as such, attesting the dishonour of a bill of exchange or promissory note.	One rupee.
51. <b>PROTEST BY THE MASTER OF A SHIP</b> , that is to say, any declaration of the particulars of her voyage drawn up by him with a view to the adjustment of losses or the calculation of averages, and every declaration in writing made by him against the charterers or the consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such. <i>See also NOTE OF PROTEST BY THE MASTER OF A SHIP</i> (No. 44).	One rupee.
52. <b>PROXY</b> empowering any person to vote at any one election of the members of a district or local board or of a body of municipal commissioners, or at any one meeting of (a) members of an incorporated company or other body corporate whose stock or funds is or are divided into shares and transferable, (b) a local authority, or, (c) proprietors, members or contributors to the funds of any institution.	<sup>81</sup> [Fifteen paise].
53. <b>RECEIPT</b> [as defined by section 2(23)] for any money or other property the amount or value of which exceeds <sup>82</sup> [five thousand rupees].	<sup>83</sup> [One rupee].

*Exemptions*

Receipt—

- (a) endorsed on or contained in any instrument duly stamped, <sup>84</sup>[or any instrument exempted] under the proviso to section 3 (instruments executed on behalf of the Government) <sup>85</sup>[or any cheque or bill of exchange payable on demand] acknowledging the receipt of the consideration-money therein expressed, or the receipt of any principal-money, interest or annuity, or other periodical payment thereby secured;
- (b) for any payment of money without consideration;

80. Substituted by S.O. 2189(E), dated 12-9-2008.

81. Substituted by S.O. 130(E), dated 28-1-2004, for "Thirty paise" (w.e.f. 1-3-2004).

82. Substituted by the Finance (No. 2) Act, 2004 (23 of 2004), S. 117(iii), for "five hundred rupees" (w.e.f. 10-9-2004).

83. Substituted by Act 32 of 1994, S. 99, for "twenty rupees" (w.e.f. 13-5-1994).

84. Substituted by Act 18 of 1928, S. 2 and Sch. I, for "or exempted".

85. Inserted by Act 18 of 1928, S. 2 and Sch. I.

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
(c) for any payment of rent by a cultivator on account of land assessed to Government revenue, or <sup>86</sup> [in the States of Madras, Bombay and Andhra] <sup>87</sup> [as they existed immediately before the 1st November, 1956] of inam lands;	
(d) for pay or allowances by non-commissioned <sup>88</sup> [or petty] officers, <sup>89</sup> [soldiers, <sup>88</sup> [sailors] or airmen] of <sup>90</sup> [the Indian] military, <sup>88</sup> [naval] or air forces, when serving in such capacity, or by mounted police-constables;	
(e) given by holders of family-certificates in cases where the person from whose pay or allowances the sum comprised in the receipt has been assigned is a non-commissioned <sup>88</sup> [or petty] officer, <sup>89</sup> [soldier, <sup>88</sup> [sailor] or airman] of <sup>92</sup> [any of the said forces], and serving in such capacity;	
(f) for pensions or allowances by persons receiving such pensions or allowances in respect of their service as such non-commissioned <sup>88</sup> [or petty] officers, <sup>89</sup> [soldiers, <sup>88</sup> [sailors] or airmen], and not serving the Government in any other capacity;	
(g) given by a headman or lambardar for land-revenue or taxes collected by him;	
(h) given for money or securities for money deposited in the hands of any banker, to be accounted for:	
Provided that the same is not expressed to be received of, or by the hands of, any other than the person to whom the same is to be accounted for:	
Provided also that this exemption shall not extend to a receipt or acknowledgment for any sum paid or deposited for or upon a letter of allotment of a share, or in respect of a call upon any script or share of, or in any incorporated company or other body corporate or such proposed or intended company or body or in respect of a debenture being a marketable security.	
<sup>93</sup> [See also POLICY OF INSURANCE [No. 47-B (2)].]	
<b>54. RECONVEYANCE OF MORTGAGED PROPERTY—</b>	
(a) if the consideration for which the property was mortgaged does not exceed Rs. 1,000;	The same duty as a Conveyance (No. 23) for the amount of such consideration as set forth in the Reconveyance.
(b) in any other case.....	Ten rupees.

86. Substituted by the Andhra (Adaptation of Laws on Union Subjects) Order, 1954, for "In the Presidencies of Fort St. George and Bombay".

87. Inserted by the Adaptation of Laws (No. 2) Order, 1956.

88. Inserted by Act 35 of 1934, S. 2 and Sch.

89. Substituted by Act 10 of 1927, S. 2 and Sch. I, for "or soldiers".

90. Substituted by Act 10 of 1927, S. 2 and Sch. I, for "Her Majesty's Army or Her Majesty's Indian Army".

91. Substituted by A.O. 1950, for "His Majesty's".

92. Substituted by Act 10 of 1927, S. 2 and Sch. I, for "either of the said forces".

93. Inserted by Act 5 of 1906, S. 7.

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<b>55. RELEASE</b> , that is to say, any instrument <sup>94</sup> [(not being such a release as is provided for by section 23-A)] whereby a person renounces a claim upon another person or against any specified property—	
(a) if the amount or value of the claim does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for such amount or value as set forth in the Release.
(b) in any other case.....	Five rupees.
<b>56. RESPONDENTIA BOND</b> , that is to say, any instrument securing a loan on the cargo laden or to be laden on board a ship and making repayment contingent on the arrival of the cargo at the port of destination.	The same duty as a Bond (No. 15) for the amount of the loan secured.
<b>REVOCAION OF ANY TRUST OR SETTLEMENT.</b>	
<i>See</i> SETTLEMENT (No. 58); TRUST (No. 64).	
<b>57. SECURITY-BOND OR MORTGAGE DEED</b> executed by way of security for the due execution of an office, or to account for money or other property received by virtue thereof or executed by a surety to secure the due performance of a contract,—	
(a) when the amount secured does not exceed Rs. 1,000;	The same duty as a Bond (No. 15) for the amount secured.
(b) in any other case.....	Five rupees.
<i>Exemptions</i>	
Bond or other instrument, when executed—	
(a) by headmen nominated under rules framed in accordance with the Bengal Irrigation Act, 1876 (Beng. Act 3 of 1876), section 99, for the due performance of their duties under that Act;	
(b) by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility shall not be less than a specified sum per mensem;	
(c) under No. 3-A of the rules made by the <sup>95</sup> [State Government] under section 70 of the Bombay Irrigation Act, 1879 (Bom. Act 5 of 1879);	
(d) executed by persons taking advances under the Land Improvement Loans Act, 1883 (19 of 1883), or the Agriculturists' Loans Act, 1884 (12 of 1884), or by their sureties, as security for the repayment of such advances;	
(e) executed by officers of <sup>96</sup> [the <sup>97</sup> [Government]] or their sureties to secure the due execution of an office or the due accounting for money or other property received by virtue thereof.	

94. Inserted by Act 15 of 1904, S. 8.

95. Substituted by A.O. 1937, for "Governor of Bombay in Council".

96. Substituted by A.O. 1937, for "Government".

97. Substituted by A.O. 1950, for "Crown".



<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<b>58. SETTLEMENT—</b>	
A.—INSTRUMENT OF (including a deed of dower).	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property settled as set forth in such settlement:  Provided that, where an agreement to settle is stamped with the stamp required for an instrument of settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed, the duty on such instrument shall not exceed eight annas.
<i>Exemptions</i>	
(a) Deed of dower executed on the occasion of a marriage between Muhammadans.	
*[* * * * *]	
B.—REVOCATION OF.....	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the Instrument of Revocation but not exceeding ten rupees.
<i>See also TRUST (No. 64).</i>	
<b>59. SHARE WARRANTS</b> to bearer issued under the <sup>99</sup> Indian Companies Act, 1882 (6 of 1882).	<sup>1</sup> [One and a half times] the duty payable on a Conveyance (No. 23) for a consideration equal to the nominal amount of the shares specified in the warrant.
<i>Exemptions</i>	
Share warrant when issued by a company in pursuance of the <sup>99</sup> Indian Companies Act, 1882 (6 of 1882), section 30, to have effect only upon payment, as composition for that duty, to the Collector of Stamp-revenue, of—	
(a) <sup>2</sup> [one and a half] per centum of the whole subscribed capital of the company, or	
(b) if any company which has paid the said duty or composition in full, subsequently issues an addition to its subscribed capital— <sup>2</sup> [one and a half] per centum of the additional capital so issued.	
SCRIP. <i>See</i> CERTIFICATE (No. 19).	

98. *Exemption* (b) omitted by A.O. 1937.99. Now *see* the Companies Act, 1956 (1 of 1956).

1. Substituted by Act 6 of 1910, S. 3, for "Three-quarters of".

2. Substituted by Act 6 of 1910, S. 3, for "three-quarters".

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
<b>60. SHIPPING ORDER</b> for or relating to the conveyance of goods on board of any vessel.	One anna.
<b>61. SURRENDER OF LEASE—</b>	
(a) when the duty with which the lease is chargeable does not exceed five rupees;	The duty with which such lease is chargeable.
(b) in any other case.....	Five rupees.
<i>Exemption</i>	
Surrender of lease, when such lease is exempted from duty.	
<b>62. TRANSFER</b> (whether with or without consideration)—	
<sup>3</sup> [(a) of shares in an incorporated company or other body corporate;	<sup>4</sup> [Twenty-five paise] for every hundred rupees or part thereof of the value of the share:
<p>Provided that rates of stamp duty specified in column (2) on Bills of Exchange for items (b) and (c) in Article 13 and on promissory note for item (b) of Article 49 shall not apply to usance bills of exchange or promissory notes drawn or made for securing finance from Reserve Bank of India, Industrial Finance Corporation of India, Industrial Development Bank of India, State Financial Corporations, Commercial Banks and Cooperative Banks for (a) <i>bona fide</i> commercial or trade transactions, (b) seasonal agricultural operations or the marketing of crops, or (c) production or marketing activities of cottage and small scale industries and such instruments shall bear the rate of stamp duty at one-fifth of the rate mentioned against items (b) and (c) in Article 13 and item (b) in Article 49 of Schedule I of the Indian Stamp Act, 1899 (2 of 1899).</p>	
<i>Explanation 1.—</i> For the purposes of the proviso—	
(a) the expression "agricultural operations" includes animal husbandry and allied activities jointly undertaken with agricultural operations;	
(b) "crops" include products of agricultural operations;	
(c) the expression "marketing of crops" includes the processing of crops prior to marketing by agricultural producers or any organization of such producers.	
<i>Explanation 2.—</i> The duty chargeable shall, wherever necessary, be rounded off to the next five paise.]	
(b) of debentures, being marketable securities, whether the debenture is liable to duty or not, except debentures provided for by section 8;	<sup>5</sup> [One-half] of the duty payable on a Conveyance (No. 23) for a consideration equal to the face amount of the debenture.
(c) of any interest secured by a bond, mortgage-deed or policy of insurance,—	
(i) if the duty on such bond, mortgage-deed or policy does not exceed five rupees;	The duty with which such bond, mortgage-deed or policy of insurance is chargeable.
(ii) in any other case.....	Five rupees.
(d) of any property under the <sup>6</sup> Administrator General's Act, 1874 (2 of 1874), section 31;	Ten rupees.

3. Substituted by Act 43 of 1955, S. 7, for the original clause (w.e.f. 1-4-1956).

4. Substituted by S.O. 130(E), dated 28-1-2004, for "Fifty naye paise" (w.e.f. 1-3-2004).

5. Substituted by Act 6 of 1910, S. 3, for "One-quarter".

6. Now see the Administrators-General Act, 1963 (45 of 1963).

<i>Description of Instrument</i>	<i>Proper Stamp-duty</i>
(e) of any trust-property without consideration from one trustee to another trustee or from a trustee to a beneficiary.	Five rupees or such smaller amount as may be chargeable under clauses (a) to (c) of this article.
<i>Exemptions</i>	
Transfers by endorsement—	
(a) of a bill of exchange, cheque or promissory note;	
(b) of a bill of lading, delivery order, warrant for goods, or other mercantile document of title to goods;	
(c) of a policy of insurance;	
(d) of securities of the Central Government.	
<i>See also section 8.</i>	
<b>63. TRANSFER OF LEASE</b> by way of assignment and not by way of under-lease.	The same duty as a Conveyance (No. 23) for a consideration equal to the amount of the consideration for the transfer.
<i>Exemption</i>	
Transfer of any lease exempt from duty.	
<b>64. TRUST—</b>	
A.—DECLARATION OF—of, or concerning, any property when made by any writing not being a WILL.	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the instrument but not exceeding fifteen rupees.
B.—REVOCATION OF—of, or concerning, any property when made by any instrument other than a WILL.	The same duty as a Bond (No. 15) for a sum equal to the amount or value of the property concerned as set forth in the instrument but not exceeding ten rupees.
<i>See also SETTLEMENT (No. 58).</i>	
<b>VALUATION.</b> <i>See APPRAISEMENT (No. 8).</i>	
<b>VAKIL.</b> <i>See ENTRY AS A VAKIL (No. 30).</i>	
<b>65. WARRANT FOR GOODS</b> , that is to say, any instrument evidencing the title of any person therein named, or his assigns, or the holder thereof, to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.	Four annas.

#### SCHEDULE II

ENACTMENTS REPEALED.—[Repealed by the Repealing and Amending Act, 1914 (10 of 1914), section 3 and Schedule II.]