

## SCHEDULE I-B

### Stamp duty on instruments under the Indian Stamp Act. 1899

#### [See Section 3)

#### Description of Instruments

**1. Acknowledgement of debt.-** Exceeding Rs. 1000 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 acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.

#### Proper Stamp Duty

Ten rupees

#### Proper Stamp Duty

**2. Administration bond-**including a bond given under Sections 291, 375 and 376 of the Indian Succession Act, 1925, or Section 6 of the Government Savings Bank Act, 1873.

#### Description of Instruments

Subject to a maximum of Rs. 200, the same duty as a bond (No. 15).

#### Description of Instruments

**3. Adoption deed-**that is to say, any instrument (other than a will) recording, an adoption or conferring or purporting to confer an authority to adopt.

#### Proper Stamp Duty

One hundred rupees

#### Description of Instruments

**4. Affidavit,** including an affirmation or declaration, in the case of persons by law, allowed to affirm or declare instead of swearing.

#### Proper Stamp Duty

Ten rupees

#### Exemptions

Affidavit or declaration in writing when made-

- (a) as a condition of enrolment under Army Act, 1950, the Air Force Act, 1950 and the Navy Act, 1957, or
- (b) for the sole purpose of enabling any person to receive any person or charitable allowance.

**Description of Instruments**

**Proper Stamp Duty**

**5. Agreement or memorandum of an agreement:**

(a) if relating to the sale of a bill of exchange:

Ten rupees

(b) if relating to the sale of Government security or share in an incorporated company or other body corporate,

Subject to a maximum of Rs. 1000, Rs. 10 for every Rs. 20,000 or part thereof of the value of the security or share.

(b-1) If relating to the sale of an immovable property where possession is not admitted to have been delivered, nor is agreed to be delivered without executing the conveyance:

The same duty as on conveyance [No. 23 Clause (a)] on one half of the amount of consideration as set forth in the agreement.

Provided that when conveyance in pursuance of such agreement is executed the duty paid under this clause, in excess of the duty payable under Clause (c), shall be adjusted towards the total duty payable on the conveyance.

(See Item 152 Appendix II)

**(b-2)** If relating to construction of a building on a land by a person other than the owner, or lessee of such land, and having a stipulation that after construction, such building shall be held jointly or severally by that other person and the owner or the lessee, as the case may be, of

The same duty as a conveyance [No. 23 Clause (a)] for a consideration equal to the amount or value of the land.

such land, or that it shall be sold Jointly or severally by them or that a part of it shall be held jointly or severally by them and the remaining part thereof shall be sold jointly or severally by them.

Explanations-For the purposes of this clause-

- (1) the expression 'land' shall include things attached to the earth, or permanently fastened to anything attached to earth.
- (2) the expression 'lessee' shall mean a holder of a lease in perpetuity or for a period of thirty years or more.
- (3) the expression 'bullding' shall mean a building having more than one flat or office accommodation or both and the expression 'flat' shall have the same meaning assigned to it in the Uttar Pradesh Ownership of Flats Act, 1975.

(c) If not otherwise provided for.

One hundred rupees.

### **Exemptions**

Agreement or memorandum of agreement—

- (a) Deleted by U.P. Act No. 14 of 1963.
- (b) made in the form of tender to the Central Government for, or relating to any loan.

### **Description of Instruments**

### **Proper Stamp Duty**

6. Agreement relating to deposit of title deeds, pawn or pledge; 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 moveable property, where such deposit, pawn or pledge has been made by way of 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.

For every Rs. 1000 or part thereof of the amount of loan or debt. twenty rupees

**Explanation.**-For the purposes of Clause (1) of this Article, any letter, note, or memorandum or writing, relating to the deposit of title deeds, whether written, or made before or at the time of, or after the deposit of title deeds is effected, and whether it is in respect of the first loan or any subsequent loan, such letter note, memorandum or writing shall, in the absence of any separate agreement relating to deposit of title deeds, be deemed to be an Instrument evidencing an agreement relating to the deposit of title deeds.

(b) If such loan or debt is repayable not a more than three months from the date of such instrument.

Half the duty payable on a loan or debt under Clause (a) for the amount secured.

### **Exemption**

Instrument of pawn or pledge of agricultural produce, if unattested.

[Note-Duty pay-able under the Article reduced See Item 106 Appendix II].

**Description of Instruments****Proper Stamp Duty**

**7. Appointment in execution of a power-**Whether of trustees or of property moveable, or immovable, where made by any writing not being a will-

(a) where the value of the property does not exceed Rs. 1000: Fifty rupees

(b) in any other case. One hundred rupees

**Description of Instruments****Proper Stamp Duty**

**8. Appraisement or valuation.-**

Made otherwise than under an order of the Court in the course of a suit-

(a) where the amount does not exceed Rs. 1000 The same duty as a bond (No. 15) for such amount.

(b) in any other case The same duty as a bond (No. 15) for Rs.1000

**Exemptions**

- (a) Appraisement or valuation made for the information of one party and not being in any manner, obligatory between the parties, either by agreement or operation of law.
- (b) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.

**Description of Instruments****Proper Stamp Duty**

**9. Apprenticeship deed-**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 Articles of Clerkship (No. 11) Twenty rupees

**Exemption**

Instruments of apprenticeship

executed by a Magistrate under the Apprentices Act. 1850, or by which a person is apprenticed by, or at the charge of any public charity.

**Description of Instruments**

**10. Articles of Association of a company.**

**Proper Stamp Duty**

Five hundred rupees

**Exemption**

Articles of any Association not framed for profit and registered under Section 26 of the Indian Companies Act. 1913.

[See also Memorandum of Association of a Company (No. 39)].

**Note**-The rates of duty under this Article are as fixed by Act 22 of 1998 with effect from 1-9-98. Prior to this amendment, the duty was Rs.300 from 15-6-1982.

**Description of Instruments**

**11. Articles of clerkship-** or contract whereby any person first becomes bound to serve as a clerk in order to secure his admission as an attorney in any High Court.

**Proper stamp duty**

Four hundred rupees

**Note**-The amount of duty under this Article, as shown above, was substituted for Rs. 975 by U.P. Act 19 of 1982 with effect from 15-6-1982.

**assignment**-See Conveyance (No. 23) Transfer (No. 62) and Transfer of lease (Ng. 63) as the case may be.

**Attorney**-See Entry as an Attorney (No. 30) and Power of attorney (No. 48)

**Authority of adopt**-See Adoption deed (No. 3).

**Description of Instruments****Proper stamp duty**

**12. Award-**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 does not exceed Rs. 1000 | The same duty as a bond (No. 15) for such amount. |
| (b) if it exceeds Rs. 1000, for every additional Rs. 1000 or part thereof                         | Ten rupees.                                       |
| (c) where the subject matter of award is incapable of valuation                                   | The same duty as a bond (No. 15) for Rs.1000      |

**Exemption**

Award under the Bombay District Municipal Act, 1901, Section 160, or the Bombay Hereditary Officers' Act, 1874 Section 18, or the U.P. Municipalities Act, 1916, Section 324 (1) or the U.P. District Board's Act, 1922 Section 190(1)

**Description of Instruments****Proper Stamp Duty**

**12-A. Bank guarantee-**Guarantee deed executed by a Bank as a surety to secure the due performance of a contract. or the due discharge of a liability-

For every Rs. 1000 or part thereof

Fifty rupees

**Description of Instruments****Proper Stamp Duty**

**15. Bond.-**As defined in 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-

Where the amount or value secured does not exceed Rs. 100 Ten rupees

Where it exceeds Rs. 100 but does not exceed Rs. 1.000 Seventy rupees

and for every additional Rs. 1000 or part thereof in excess of Rs. 1000 Seventy rupees

See Administration Bond (No. 2), bottomary Bond (No. 16) Customs bond (No. 26) Indemnity bond (No. 34), respondentia bond (No. 56 ) Security bond (No. 57) [Note. Duty under this Article reduced See Appendix II item 105.]

### Exemptions

#### Bond when executed by-

- (a) headman nominated under rules framed in accordance with the Bengal Irrigations Act, 1876. Section 99 for the performance of their duties under the Act;
- (b) any person for the purpose of guaranteeing that the local income from private subscription to a charitable dispensary or hospital or any other subject of public utility shall not be less than a specified sum per menses.

#### Description of Instruments

**16. Bottomry bond-**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 the voyage.

#### Proper Stamp Duty

The same duty as a bond(No. 15) for a sum equal to the amount of value secured.

#### Description of Instruments

**17.Cancellation-** instrument of-

#### Proper Stamp Duty

One hundred rupees



(including any instrument by which any Instrument previously executed is cancelled) if attested and not otherwise provided for.

See also release (No. 55), Revocation of settlement (No. 58-B), surrender of lease (No. 61) Revocation of trust (No. 64-B).

**Description of Instruments**

**17-A.** Certificate of enrolment under Section 22 of Advocates Act, 1961, issued by the State Bar Council of Uttar Pradesh.

**Proper Stamp Duty**

Five hundred rupees

**Description of Instruments**

**17-B.** Certificate to practice as a Notary under sub-section (1) of Section 5 of the Notaries Act, 1952, or endorsement of renewal of such certificate under sub-section (2) of the said section.

**Proper Stamp Duty**

Two thousand rupees

**18. Certificate of sale-**(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 Court, or by an officer, authority or body empowered under any law, for the time being in force, to sell such property by public auction and to grant the certificate.

The same duty as a conveyance (No. 23 clause (a) for a consideration equal to the amount of the purchase money only (See item 129 Appendix II)

**Description of Instruments**

**19. Certificate or other document-** Evidencing the right or title of the holder thereof, or any other person,

**Proper Stamp Duty**

One rupee

either to any shares, scrip or stock in, or of any incorporated company, or to become proprietor of shares, scrip or stock to or of any such company or body.

[See also letter or allotment of shares (No. 36)].

**Description of Instruments**

**20. Charter Party.**-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 charter, whether it includes a penalty clause or not.

**Proper Stamp Duty**

Ten rupees

**Description of Instruments**

**21. Cheque** (Deleted by Act 5 of 1927).

**Proper Stamp Duty**

**Description of Instruments**

**22. Composition deed.**- 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 the creditors.

**Proper Stamp Duty**

Fifty rupees

**Description of Instruments**

**23. Conveyance**- as defined by Section 2(10) not being a Transfer charged or exempted under No. 62-

**Proper stamp duty**

(a) if relating to immovable property Sixty Rupees

where the amount or value of the consideration of such conveyance, as set forth therein, or the market value of the immoveable property, which is the subject of such conveyance, whichever is greater, does not exceed Rs. 500

Where it exceeds Rs. 500 but does not exceed Rs. 1000 One hundred and twenty five rupees

and for every Rs. 1000 or part thereof in excess of Rs. 1000 One hundred and twenty five rupees: Provided that the duty payable shall be rounded off to the next multiple of ten rupees. [Duty reduced. See item 105 Appendix II].

(b) If relating to moveable property- where the amount or value of the consideration of such conveyance, as set forth therein, does not exceed Rs. 1000 Twenty Rupees

and for every Rs. 1000 or part thereof in excess of Rs. 1000 Twenty rupees

#### **Exemption**

Assignment of a copy-right for musical works by resident of or first published in India.

#### **Explanation**

For the purposes of this Article, in the case of an agreement to sell an immoveable property, where possession time of execution, or is agreed to be delivered without executing the conveyance, the agreement shall be deemed to be a conveyance and stamp duty thereon shall be payable accordingly:

Provided that the provisions of Section 47-A shall, mutatis mutandis, apply to such agreement:

Provided further that when conveyance

in pursuance of such agreement is executed, the stamp duty paid on the agreement shall be adjusted towards the total duty payable on the conveyance.

**[23-A. Conveyance in the nature of part performance,** contracts for the transfer of immovable property in the nature of part performance in Union territory under Section 53-A of the Transfer of Property Act, 1882. Co-partnership deed (See Partnership No. 46). Ninety per cent of the duty as a Conveyance (No. 23)].

**Description of Instruments**

**Proper Stamp Duty**

**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 ten rupees. Ten rupees
- (ii) In any other case, not falling within the provisions of Section 6-A. Ten rupees

**Exemptions**

- (a) Copy of any paper, which a public officer is expressly required by law, to make or to furnish for record in any public office or for any public purpose.
- (b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, divorces, deaths or burials.

**Description of Instruments**

**Proper Stamp Duty**

**25. Counterpart or duplicate-**of any

instrument chargeable with duty and in respect of which the proper duty has been paid-

(a) if the duty with which the original instrument is chargeable does not exceed Rs. 50. The same duty as is payable on the original.

(b) In any other case, not falling within the provisions of Section 6-A. Fifty rupees

### **Exemption**

Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.

### **Description of Instrument**

**25-A.** Introduced from 15.11.1971 and deleted w.e.f. 1.1.1978.

### **Proper Stamp Duty**

### **Description of Instruments**

#### **26. Customs bond**

### **Proper Stamp Duty**

Subject to a maximum of Rs. 150. the same duty as a bond (No. 15)

### **Description of Instruments**

**28. Delivery order in respect of goods-** 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 Rs. 100.

### **Proper Stamp Duty**

Ten rupees

Deposit of title deeds-(See agreement relating to the deposit of title-deeds, pawn or pledge (No. 6).

Dissolution of partnership-(See partnership (No. 46)

**Description of Instruments**

**29. Divorce**-Instrument of, that is to say, any instrument by which any person effects the dissolution of his marriage

**Proper Stamp Duty**

Fifty rupees

**Description of Instruments**

Dower-Instrument of (See settlement (No. 58)

Duplicate-See counterpart (No. 25)

**30. Deleted** (See No. 17-A)

**Proper Stamp Duty****Description of Instruments**

**31.Exchange of property**- Instrument of

**Proper Stamp Duty**

The same duty as a conveyance [No. 23 Clause (a)] for a consideration equal to the value of the property of greatest value as set forth in such Instrument. (See item 129 Appendix II).

**Description of Instruments**

**32. Further charge** - Instrument of, that is to say, any instrument imposing a further charge on mortgaged property-

**Proper Stamp Duty**

(a) when the original mortgage is one of the descriptions referred to in Clause (a) of Article 40 (that is. with possession)

The same duty as a conveyance [No. 23 Clause (a)] for a consideration equal to the amount of the further charge secured by such instrument.

(b) when such mortgage is one of the descriptions referred to in Clause (b) of Article No. 40 (that is. without possession)

(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.

The same duty as a conveyance (No.23 Clause (a)) for a consideration equal to the total amount of the charge (Including the original mortgage and and further charge already made) less the duty already paid on such original mortgage and further charge.

(ii) if possession is not given.

The same duty as a bond (No. 15) for the amount of the further charge

secured by such instrument.

**Description of Instruments**

**33. Gift-Instrument** of, not being a settlement (No. 58) or will, or transfer (No. 62)

**Proper Stamp Duty**

The same duty as a conveyance (No. 23) Clause (a) for a consideration equal to the value of property. (See Item 129 Appendix II)

**Description of Instruments**

Hiring agreement or agreement of service (See agreement No. 5)

**Proper Stamp Duty**

**Description of Instruments**

**34. Indemnity bond**

**Proper Stamp Duty**

The same duty as security bond (No. 57) for the same amount.

**Description of Instruments**

Inspectorship deed-See composition deed (No. 22)  
Insurance-See Policy of insurance (No. 47)

**Proper Stamp Duty**

**Description of Instruments**

**34-A. Instrument**-correcting a purely clerical error in an instrument. chargeable with duty and in respect of which the proper duty has been paid.

**Proper Stamp Duty**

Ten rupees

**Description of Instruments**

**35. Lease**-including and underlease or such lease and any agreement to let or sub-let-

**Proper Stamp Duty**

(a) where by such lease, rent is fixed and no premium is paid or delivered-  
(i) where the lease purports to be for a term not exceeding one year;

The same duty as a bond (No. 15) for the whole amount payable or deliverable under such lease.

(ii) where the lease purports to be for a term exceeding one year, but not

The same duty as a conveyance [(No. 23) Clause (a)] for a consideration equal

exceeding five years:	to three times the amount or value of the average annual rent reserved.
(iii) where the lease purports to be for a term exceeding five years, but not exceeding ten years:	The same duty as conveyance ((No. 23) Clause (a)) for a consideration equal to four times the amount or value of the average annual rent reserved.
(iv) where the lease purports to be for a term exceeding ten years, but not exceeding twenty years:	The same duty as a conveyance ((No. 23) Clause (a)) for a consideration equal to five times the amount or value of the average annual rent reserved.
(v) where the lease purports to be for a term exceeding twenty years, but not exceeding thirty years:	The same duty as a conveyance (No. 23) Clause (a)] for a consideration equal to six times the amount or value of the average annual rent reserved.
(vi) where the lease purports to be for a term exceeding thirty years or in perpetuity or does not purport to be for any definite term	The same duty as a conveyance [[No. 23) Clause (a)] for a consideration equal to the market value of the property which is the subject of the lease.]
(b) Where the lease is granted for a fine or premium, or for money advanced and where no rent is reserved.	
(i) where the lease purports to be for a term not exceeding thirty years.	The same duty as a conveyance (No. 23) Clause (a), for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease.
(ii) where the lease purports to be for a term exceeding thirty years	The same duty as a conveyance (No. 23) Clause (a)] for a consideration equal to the market value of the property which is subject of the lease.
(c) Where the lease is granted for a fine, or premium or for money advanced in addition to rent reserved.	
(i) Where the lease purports to be for a	The same duty as conveyance [No. 23)



term not exceeding thirty years

Clause (a)] 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.

Provided that in a case when an agreement to lease is stamped with the ad valorem stamp required for lease, and a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed fifty rupee.

Provided further that where the lease purports to letting of a building or flat for a term not exceeding five years, the duty shall, subject to a minimum of rupees one hundred and a maximum of rupees ten thousand, be chargeable at the rate of two percent of the whole amount of the rent which would be paid or delivered for the entire term of the lease and the amount of fine or premium or money advanced, if any, as set forth in the lease and it shall be rounded off to the next multiple of rupees ten.

(ii) Where the lease purports to be for term exceeding thirty years

The same duty as a conveyance [No. 23) Clause (a)] for a consideration equal to the market value of the property which is subject of the lease.

### **Exemptions**

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 of 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.

In this exemption a lease for the purposes of cultivation shall include a lease of land for cultivation together with a homestead or tank.

#### **Explanations**

- (1) When a lessee undertakes to pay recurring charge, such as Government revenue the landlord's share of cesses or the owners share of municipal rates or taxes, which by law, is recoverable from the lessor, the amount so agreed to be paid by the lessee shall be deemed to be part of the rent.
- (2) A lease from month to month, or year to year, without any fixed period, or one for a fixed period with a provision allowing the lessee to hold over thereafter for an indefinite term, shall be deemed, for the purposes of this Article, to be a lease not purporting to be for any definite term. (See item 110 of appendix XII)
- (3) Rent paid in advance shall be deemed to be money advanced within the meaning of this Article, unless it is specifically provided in the lease that rent paid in advance will be set off towards the last instalment or instalments of rent.

- (4) The aggregate amount at which tolls are let, whether payable in lump sum or in instalments, shall be deemed to be premium for the purposes of this Article.
- (5) For the purposes of second proviso the expressions 'building' and 'flat' shall have the same meanings respectively assigned to them in Explanation (3) to clause (b-2) of Article 5.

**Description of Instruments**

**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. See also Certificate or other document (No. 19).

**Proper Stamp Duty**

One rupee

**Description of Instruments**

**38. Letter of licence-**That is to say any agreement between the 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.

**Proper Stamp Duty**

Thirty rupees

**Description of Instruments**

**38-A. Licence-**Relating to arms or ammunition, that is to say, document evidencing the licence or renewal of licence relating to arms or ammunition under the provisions of Arms Act, 1959.

**Proper Stamp Duty**

(A) Licence relating to following arms :

- (i) Revolvers or pistols
- (ii) Rifles
- (iii) DBBL weapons
- (iv) SBBL weapons

Two thousand rupees  
 One thousand five hundred rupees  
 One thousand rupees  
 One thousand rupees

(v) ML weapons	Two hundred rupees.
(B) Licence relating to arms or ammunitions on following forms as set out in Schedule III to the Arms Rules, 1962	
(i) Form XI	Ten thousand rupees
(ii) Form XII	Ten thousand rupees
(iii) Form XIII	Five thousand rupees
(iv) Form XIV	Three thousand rupees
(C) Renewal of licence relating following arms	
(i) Revolver or pistols	One thousand rupees
(ii) Rifles	Seven hundred and fifty rupees
(iii) DBBL weapons	Five hundred rupees
(iv) SBBL weapons	Five hundred rupees
(v) ML weapons	One hundred rupees
(D) Renewal of licence relating to arms or ammunitions on following forms as set out in Schedule III of the Arms Rules, 1962.	
(i) Form XI	Three thousand rupees
(ii) Form XII	Three thousand rupees
(iii) Form XIII	Two thousand rupees
(iv) Form XIV	One thousand rupees

**Description of Instruments**

**39. Memorandum of association a company-**

- (a) if accompanied by Article of Association under Section 26 of the Companies Act, 1956,  
(b) If not so accompanied.

**Proper Stamp Duty**

- Five hundred rupees  
One thousand rupees

**Exemption**

Memorandum of any association not formed for profit and registered under Section 25 of the Companies Act, 1956.

**Description of Instruments**

**40. Mortgage deed-**Not being an agreement relating to deposit of title

**Proper Stamp Duty**

deeds. pawn or pledge (No. 6),  
bottomary bond (No. 16), mortgage of  
crop (No. 41), Respondential 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) Clause (a) for a consideration  
equal to the amount secured by such  
deed.

(b) when 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.

#### **Explanation**

A mortgagor who gives to the  
mortgagee a power of attorney to  
collect rents 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 by  
way of further assurance for the  
above mentioned purpose, where  
the principal or primary security is  
duly stamped-

for every secured not exceeding Rs. Ten rupees  
1000.

and for every Rs. 1000 part thereof Ten rupees  
secured in excess of Rs. 1000

#### **Exemptions**

(1) Instruments executed by persons  
taking advances under the Land  
Improve-ment Loans Act, 1883, or  
by the Agriculturists Loans Act,  
1884, or by their sureties as security  
for the repayment of such advance.

(2) Letter of hypothecation  
accompanying a bill-of-exchange.

**Description of Instruments****Proper Stamp Duty**

**41. Mortgage of a crop**-including any instrument evidencing an agreement to secure 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 form the date of the Instrument-

for every sum secured not exceeding Rs. 6000 Ten rupees

and for every Rs. 6000 or part thereof In excess of Rs. 6000 Ten rupees

(b) when the loan is repayable more than three months, but not more than eighteen months, from the date of the instrument-

For every sum secured not exceeding Rs. 3000 Twenty rupees

and for every Rs. 3000 or part thereof secured in excess of Rs. 3000 Twenty rupees.

**Description of Instruments****Proper Stamp Duty**

**42. Notarial Act**-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 duties of his office, or by any other person lawfully acting as a Notary Public. (See also Protest of bill or note (No. 50)

Ten rupees

**Description of Instruments****Proper Stamp Duty**

**43. Note or Memorandum**-sent by a Broker or Agent to his principal. intimating the purchase or sale or account of such principal-

- |   |   |
|---|---|
| (a) of any goods exceeding in value two hundred rupees.                       | Ten rupees  |
| (b) of any stock or marketable security exceeding in value two hundred rupees | Subject to a maximum of Rs. 1000. ten rupees for every Rs. 20000 or part thereof of the value of the stock or securities. |

**Description of Instruments**

**Proper Stamp Duty rupees**

**44. Note of protest**-by the Master of a ship  
 See also protest by the Master of ship (No. 51).  
 Order for payment of money-See bill of exchange (No. 13)

Ten rupees

**Description of Instruments**

**Proper Stamp Duty**

**45. Partition**-instrument of (as defined by Section 2(15)

The same duty as bond (No. 15) for the amount of the value of the separated share or shares of the property:  
 N.B.- 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 containing an 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, or upon the Instrument, recording by way of declaration or otherwise, the terms of such partition, shall be reduced by the

amount of duty paid in respect of the first instrument, but shall not be less than ten rupees.

- (b) Where land is held on Revenue settlement, the value for the purposes of this Article shall be deemed to be-
  - (i) twenty times the annual revenue, and
  - (ii) ten times the net profits that have arisen from the land during the year next before the date of partition, where the land is wholly or partly exempt from payment of 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 ten rupees.

### **Description of Instruments**

#### **46. Partnership**-A. Instrument of-

- (a) where the capital of the partnership does not exceed Rs. 10,000
- (b) in any other case

B. Dissolution of

### **Description of Instruments**

**Pawn or pledge**-See agreement relating to deposit of title deeds pawn and pledge (No. 6)

**48. Power of attorney**-(As defined in Section 2 (21), not being a Proxy (No.

### **Proper Stamp Duty**

The same duty as a bond (No.15).

The same duty as on a bond (No. 15) for Rs. 10000

One hundred rupees.

### **Proper Stamp Duty**



52).

- |  |   |
|--|---|
| (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. | Ten rupees  |
| (b) When authorising one person or more to act in a single transaction, other than the case mentioned in Clause  | Twenty rupees   |
| (c) When authorising not more than five persons to act jointly and severally In more than one transaction or generally.  | Fifty rupees  |
| (d) When authorising more than five, but not more than ten persons to act jointly and severally in more than one transaction or generally.   | One hundred rupees  |
| (e) When given for consideration and authorising the attorney to sell any Immovable property.  | The same duty as a conveyance (No. 23) Clause (a) for the amount of the consideration.  |
| (ee) When irrevocable authority is given to the attorney to sell immovable property.   | The same duty as a conveyance (No. 23) Clause (a) on the market value of the property forming subject matter of such authority. |
| (f) When authorising more than ten persons to act jointly or severally in more than one transaction or generally.  | Ten rupees for each such person authorised.   |

**Explanation**

For the purposes of this Article more persons than one, when belonging to the same firm shall be deemed to be one every person.

N.B.-The term registration includes operation incidental to registration under the Registration Act (XIV of 1908).

**Description of Instruments**

**50. Protest of bill or note-**That is to say, any declaration in writing made by a Notary Public, or other person lawfully

**Proper Stamp Duty**

Ten rupees

acting as such, attesting the dishonour of a bill of exchange or promissory note.

**Description of Instruments**

**51. Protest by the master of a ship-**

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 the averages, and every declaration in writing made by him against the charters 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.

(See also note of protest by Master of ship (No. 44).

**Proper Stamp Duty**

Ten rupees

**Description of Instruments**

**54.Reconveyance mortgaged property-**

(a) if the consideration for which the property was mortgaged does not exceed Rs.1000

(b) In any other case,

**Proper Stamp Duty**

The same duty as conveyance (No. 23) Clause (a) for the amount of such consideration as set forth in the reconveyance.

The same duty as a conveyance(No. 23) Clause (a) for Rs. 1000.

**Description of Instruments**

**55. Release-**That is to say, any instrument, 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. 2500

**Proper Stamp Duty**

The same duty as a bond (No. 15) for such amount or value as set forth in the release.

(b) in any other case

The same duty as a bond (No. 15) for Rs. 3000

### **Description of Instruments**

**56. Respondentia bond-**That is to say any Instrument securing loan on the cargo laden on board a ship and making repayment contingent on the arrival of the cargo at the port of destination. Revocation of any trust or settlement [See Settlement (No. 58) trust (No. 64)].

### **Proper Stamp Duty**

The same duty as a bond(No. 15) for the amount of the loan secured.

### **Description of Instruments**

**57. Security bond or mortgage deed-** 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 or the due discharge of a liability-

### **Proper Stamp Duty**

(a) Where the amount secured does not exceed Rs. 100.

Ten rupees

(b) in any other case

One hundred rupees

### **Exemptions**

**Bond or other instrument when executed-**

(a) by headman nominated under rules framed in accordance with the Bengal Irrigation Act, 1876, Section 99, for the due performance of their duties under that Act:

(b) by any person for 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 State Government under Section 70 of the Bombay Irrigation Act, 1876.

(d) executed by person taking advances under the Land Improvement Loans Act. 1883 or the Agriculturists' Loans Act. 1884. or by their sureties. as security for the re-payment of such advances.

(e) executed by officers of 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.

### **Description of Instruments**

**58. Settlement-A-Instrument** (including a deed of dower).

### **Proper Stamp Duty**

of The same duty as a bond (No. 15) for a sum equal to the amount or value of the property settled:

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 ten rupees.

### **Exemption**

Deed of dower executed on the occasion of a marriage between Mohammadans.

**B.-Revocation of-**

See also Trust (No. 64).

The same duty as a bond (No. 15) for a sum equal to the amount or value of the property concerned but not exceeding fifty rupees.

### **Description of Instruments**

**59. Share warrants-To bearer Issued**

### **Proper Stamp Duty**

The same duty as debenture

under the Indian Companies Act. 1913

transferable by delivery [No. 27(b)] for a face amount equal to the nominal amount of the share specified in the warrant.

### **Exemptions**

Share warrant, when issued by a company in pursuance of the Indian Companies' Act, 1913, Section 43, to have effect only upon payment, as composition for that duty. to the Collector of stamp revenue of-

- (a) 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 as addition to its subscribed capital one and a half per- centum of the additional capital so issued.

### **Description of Instruments**

**Scrip**-See certificate (No. 19)

**60. Shipping order**-For or relating to the conveyance of goods on board any vessel.

### **Proper Stamp Duty**

Ten rupees

### **Description of Instruments**

**61. Surrender of lease-**

### **Proper Stamp Duty**

The same duty as a bond (No. 15) for a consideration of Rs. 1000 or the duty with which such lease is chargeable. whichever is less: Provided that the duty payable shall be rounded of to the next multiple of ten rupees.

### **Exemption**

Surrender of lease where such lease is

exempted from duty.

### **Description of Instruments**

### **Proper Stamp Duty**

**62. Transfer-** (whether with or without consideration)-

(a) See Schedule I-A.

(b) of debentures, being marketable securities, whether the debenture is liable to duty or not, except debentures provided for by Section 8;

When the value of the share or the face amount of the debenture does not exceed Rs. 500.

Ten rupees

Where it exceeds Rs. 500 but does not exceed Rs. 1000

Twenty rupees

and for every Rs. 500 or part thereof in Ten rupees excess of Rs. 1000

Ten rupees

(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 of insurance does not exceed one hundred rupees.

The duty with which such mortgage deed or policy is chargeable:

Provided that the duty payable shall be rounded to the next multiple of ten rupees.

(ii) In any other case

One hundred rupees:

Provided that, if by any instrument the interest secured by several bonds. mortgage deeds or policies of Insurance is transferred, the duty payable in respect of such instrument shall be the aggregate of the duties which would have been payable if separate Instruments of transfer were executed in respect of each such bond. mortgage deed or policy of insurance.

Provided further that the duty payable shall be rounded off to the next

- (d) of any property under the One hundred Administrator General's Act, 1913. Section 25: multiple of ten rupees :  
One hundred rupees
- (e) of any trust property without consideration from one trustee to another trustee or from a trustee to a beneficiary. Seventy rupees.

### **Exemptions**

#### **Transfer 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 policy of Insurance;
- (d) of securities of the Central Government or the State Government:
- (See also Section 8)

#### **Description of Instruments**

**63. Transfer of lease-**By way of assignment and not by way of under lease.

#### **Proper Stamp Duty**

The same duty as a conveyance (No. 23) Clause (a)] for a consideration equal to the amount of the consideration for the transfer.

#### **Exemption**

Transfer of any lease exempt from duty.

#### **Description of Instruments**

#### **64. Trust-**

A. Declaration of- of, or concerning any property, when made by any writing not being a will-

- (a) where the amount or value does not exceed Rs. 10,000

#### **Proper Stamp Duty**

The same duty as on bond(No. 15).

- (b) where such amount exceeds Rs. On Rs. 10,000, the duty payable under

10,000.

B. Revocation of- or concerning any property, when made by any Instrument, other than a will.

See also settlement (No. 58).

Clause (a) and on the remainder ten rupees for every additional Rs. 1,000 or part thereof.

The same duty as a bond( No. 15) for a sum equal to the amount or value of the property concerned, but not exceeding the duty payable on a bond (No. 15) for Rs. 2000.

### **Description of Instruments**

**Appraisalment-**(No. 8) Vakil See

**Valuation-**See certificate of enrolment (No. 17-A).

**65. Warrant for goods-**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 cock, warehouse or wharf, such instrument being signed or certified by, or on behalf of the person in whose custody such goods may be.

### **Proper Stamp Duty**

Ten rupees