

**The Indian Stamp (Nagaland second Amendment) Act, 1999.**  
**(Act No. 8 of 1999)**

Received the assent of the Governor of Nagaland on 17/07/1999 and published in the Nagaland Gazette Extraordinary dated: 25th of August, 1999.

An  
-Act-

To amend the Indian Stamp Act, 1899 in its application to Nagaland.

Preamble-Whereas it is expedient to amend the Indian Stamp Act, 1899 (Act, II of 1899) herein after called the Principal Act, in its application to Nagaland in the Manner herein after appearing.

It is hereby enacted in the Fortieth year of the Republic of India as follows:

1. Short title, extent and commencement.
1. This Act may be called the Indian Stamp (Nagaland Amend-ment) Act, 1989.
2. It shall extend to the whole State or Nagaland.
3. It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.
2. Amendment of Schedule I of Act, II of 1899. In Schedule I to the Principal Act, the following shall be substituted. namely:-

**SCHEDULE - I**

Description of Instrument

(1)

1. ACKNOWLEDGMENT 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/on paper is left in the creditor's possession

Fifty Paise

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.

- |  |  |
|--|--|
| 2. ADMINISTRATION - BOND including a bond given under section 6 of the Government Savings Banks Act, 1875 or section 376 of the Indian Succession Act, 1925. | The same duty as a Bond Duty No. 15 for such amount. |
| a. Where the amount does not exceed Rs. 1,000;   |  |
| b. in any other case   | Thirty rupees  |
| 3. ADOPTION-DETD, that is to say, any instrument (other than a will) recording an adoption or conferring or purporting to confer and authority to adopt.     | Sixty Rupees.  |
| 4. AFFIDAVIT. including an affirmation or declaration in the case of persons by law allowed to affirm of declare instead of swearing.                        | Ten Rupees.  |

#### Exemptions.

Affidavit or declaration in writing when made-

- |   |           |
|---|-----------|
| a. as a condition of enlistment under the Indian Army Act. 1950;  |           |
| 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.          |           |
| 5. AGREEMENT OR MEMORANDUM OF AND AGREEMENT:-   |           |
| a. if relating to the sale of a bill of exchange;   | One Rupee |

- b. if relating to the sale of a Government Security;  
Subject to a maximum of eighty Rupees and fifty paise for every Rs. 10,000/- or part thereof the value of the Security.
- c. if relating to the purchase or sale of shares, scrips, stocks, debentures, bonds, debeture stocks or any other marketable Security of a like nature in or of any incorporated company or other body corporate.
- i. When such agreement or memorandum of an agreement is with or through a member or between members of a Stook Exchange recognised under the Securitie: Contracts (Regulation) Act, 1956;  
One Rupees for every Rs. 2500/- or part the of the value or the Security the value of the Security at the time of purchase of sale, as the case may be.

### **Description of Instrument**

- ii. In other cases:  
Two rupees for every Rs. 500/- or part thereof of the Security at the time of its purchase or sale, as the case may be.
- d. if executed for service or for performance of work in any estate whether held by one person, or more persons, than one as co-owners, and whether in one or more blocks and situated in Assam /Meghalaya where the advance given under such agreement does not exceed fifty rupees:  
One Rupee
- e. if not otherwise provided for Exemptions  
Four rupees

### **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 Government of India for, or relating to any loan;

AGREEMENT TO LEASE -See lease (No. 35)

6. AGREEMENT RELATING TO DEPOSIT OF TITLE -DEEDS, PAWN OR PLEDGE, that is to say, 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 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.

Five Rupees if the amount of loan does not exceed Rs. 500/-  
Ten Rupees if the amount exceed Rs. 500/- but does not exceed Rs. 1000/-

if the amount of loan does not exceed Rs. 500; if it exceeds rupees 500 and not exceed Rs. 1000; and for every rupees 1000 or part thereof in excess of Rs. 1000.

Ten Rupees for every Rs.1000/- or part thereof in excess of  
Half the duty payable under Rs. 1000/-

- b. if such loan or debt repayable not more than three months from the date of such instrument.

Half the duty payable under sub-clause (a)

Exemption

Instruments of pawn or pledge of goods

if unattested.

7. APPOINTMENT IN EXECUTION OR A POWER - Whether of trustees or of property, movable or immovable, where made by any writing not being a will-

a. Where the value of the property does not exceed Rs. 1,000. Fifty Rupees

b. in any other case Ninety Rupees

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. 1,000. The same duty as in Bottomry Bond (no. 15) for such amount.

Description of Instrument	Proper Stamp Duty
b. in any other case.	Twenty-four rupees seventy five paise.

Exemptions

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. 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. Twenty-four rupees seventy five paise.

Exemptions

Instruments of apprenticeship executed by a Magistrate under the apprentices Act, 1961, or by which a person is apprenticed by or at the charge of, any public charity.

10. ARTICLES OF ASSOCIATION OF A COMPANY-

a. Where the company has no share capital or the normal share capital does not exceed Rs. 2,500. Sixty-one rupees ninety paise

- |   |   |
|---|---|
| b. Where the nominal share capital exceeds Rs. 2,500 but does not exceed Rs. 5,000; | Eighty two rupees fifty paise                       |
| c. Where the nominal share capital exceeds Rs. 5,000 but does not exceed 1,00,00    | One hundred twenty three rupees seventy five paise. |
| d. Where the nominal share capital exceed Rs. 100,000                               | Two hundred forty seven rupee fifty paise.          |

### Exemptions

Articles of any association not formed for profit and registered under section 25 of the Companies Act, 1956 See also Memorandum of Association of a Company (No. 39).

ASSIGNMENT- See conveyance (No. 23) transfer (No. 62), and transfer of lease (No. 63) as the case may be ATTORNTY- See Adoption deed (No. 3).

- |   |   |
|---|---|
| 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 other wise than by an order of the Court in the course of a suit. | The same duty as a Bond (No. 15) for the amount or value of property to which the award relates, as set forth in such award subject to a maximum of one hundred twenty three rupees seventy five paise. |
| 15. BOND (as defined by section 2 (5) not being a DEBENTURT (NO. 27). and not being otherwise for by this Act or by the Court fees Act, 1870-   |   |
| Where the amount or value secured does not exceed Rs. 10.   | Forty five paise.   |
| Where it exceeds Rs. 10 and does not exceed Rs. 50.;  | Eighty -two paise.  |
| Where it exceeds Rs. 50 and does not exceed Rs. 100.  | One rupee sixty -five paise   |
| Where it exceeds Rs. 100 and does not exceed Rs. 200.   | Four rupees and ten paise.  |

<i>Description of Instrument</i>	<i>Proper Stamp Duty</i>
Where it exceeds Rs. 200 and does not exceed Rs. 300;	Six rupees and twenty paise.
Where it exceeds Rs. 300 and does not exceed 400;	Eight rupees and twenty Five paise.
Where it exceeds Rs. 400 and does not exceed Rs. 500;	Eleven rupees and twenty paise.
Where it exceeds Rs. 500 and does not exceed Rs. 600;	Fourteen rupees and Ninety paise.
Where it exceeds Rs. 600 and does not exceed Rs. 700;	Seventeen rupees and thirtyfive paise.
Where it exceeds Rs. 700 and does not exceed Rs. 800;	Nineteen rupees and eighty paise.
Where it exceeds Rs. 800 and does not exceed Rs.900;	Twenty-two rupees and thirty paise.
Where it exceeds Rs. 900 and does not exceed Rs. 1000;	Twenty four rupees and seventy five paise
and for every Rs. 500 or part thereof in excess of Rs. 1,000	Twelve rupees and thirty paise
See Administration - Bond	
(No. 2). Bottomry	Bond
(No. 16), Customs	Bond
(No. 26), Indemnity	Bond
(No. 34) Respondetia	Bond
(No. 56), Security	Bond
Bond (No 57)	

### Exemptions

Bond, when executed by-

(a) Neadman 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. 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 men- sem.

16. BOTTOMRY BOND that is to say, any instrument whereby the master of a seagoing ship borrows money on the security of the ship to enable to preserve the ship or prosecute her voyage.

The same duty as a Bond (NO. 15) for such amount

17. CANCELLATION Instrument of (including any instrument by which any instrument previously excepted is cancelled, if attested and not otherwise provided for. See also Release (No. 55) Revocation of Statement) (No. 58 -B), Surrender of Lease (No. 61), Revocation of Trust (No. 64-B).

Twenty -for rupees and seventy five paise.

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 a public auction by a Civil or Revenue Court, or Collector or other Revenue Officer-

a. Where the purchase money does not exceed Rs. 10;

Seventy paise

b. Where the purchase-money exceeds Rs. 10. but does not exceed Rs. 25;

One rupee thirty paise.

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. CERTIFICATE OR OTHER DOCUMENT, evidencing the of the holder thereof or any other person other to any share, scrip or stock in or of any incorporated company or other body corporate or to become proprietor of share, scrip

Forty Five paise



or stock in or any such company or body.  
See also Letter of Allotment of Shares (No. 36).

20. CHARTERED 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 the specified purposes of the characterer, whether it includes a penalty clause or not.

Four rupees and ninety-five  
paise

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 deb-tor's business, under the supervision of inspectors or under lifters of License, for the benefit of his creditors.

Forty-nine rupees and  
fifty paise

23. CONVEYANCE (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;

Two rupees and thirty paise

\* where it exceeds Rs. 50 but do exceed Rs. 100;

Four rupees and fifty paise

\* where it exceeds Rs. 100 but does exceed Rs. 200

Nine rupees

\* where it exceeds Rs. 200 but does exceed Rs. 300

Thirteen rupees and fifty paise

\* where it exceeds Rs. 300 but does exceed Rs. 400

Twenty two rupees and fifty paise

\* where it exceeds Rs. 400 but does exceed Rs. 500

Thirty one rupees and fifty paise

\* where it exceeds Rs. 500 but does exceed Rs. 600

Thirty six rupees.

\* where it exceeds Rs. 600 but does exceed Rs. 700

Forty rupees and fifty paise

\* where it exceeds Rs. 700 but does exceed Rs. 800

Forty five rupees.

\* where it exceeds Rs. 800 but does exceed Rs. 900

Twenty two rupees and fifty paise

\* where it exceeds Rs. 900 but does exceed Rs. 1,000  
for every Rs. 500 or part thereof in excess of Rs. 1,000

Forty nine rupees and fifty paise  
for every one thousand rupees

\* where it exceeds Rs. 50,000 but does exceed  
Rs. 90,000.

Sixty six rupees and fifty rupees  
for every one thousand rupee

\* where it exceeds Rs. 90,000 but does exceed Rs.  
1,50,000

Eighty two rupees and fifty paise  
for every one thousand rupees.

Provided that where the "instrument" or the conveyance is in respect of and Industrial Loan, certified as such by the Director of Industries, Nagaland the stamp duty shall be half or the above rate.

Description of Instrument	Proper Stamp Duty
Exemptions	
Assignment of copyright under the Indian Copyright Act, 1957. COPARTNERSHIP-DEED- See Prartnership (No. 46)	
24. COPY OR EXTRACT, certified to be a true copy or extract by or 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;	Two rupees and fifty paise
ii. in any other case not falling within the provisions of section	Four rupees and ninety five paise
Exemptions	
a. Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public officer or for any public purpose.	
b. Copy of or extract from, any register relating to births, baptisms, naming, dedications, marriages, 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-	
a. if the duty with which the original instrument is chargeable does not exceed two rupees;	The same duty as is payable the original

b. in any other case not falling within the provisions of section 6-A

Four rupees and ninety five paise.

### Exemption

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

### 26. CUSTOMER- MOND-

a. where the amount does not exceed Rs. 1,000;

The same duty as a Bond (No. 15) for such amount by Thirty-three rupees Forty paise

b. in any other case.

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 on port, or in any warehouse in which goods are stored or deposited on rent or hire or 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.

DEPOSIT OF TITLE DEEDS- See Agreement relating to Deposit of Title -deeds, Pawn or Pledge (No. 6)

DISSOLUTION OF PARTNERSHIP-  
See partnership (No. 46)

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

Sixteen rupees and fifty paise.

DOWER- Instrument of see Settlement No. 58.

DUPLICATE - See Counterpart (No. 25).

31. EXCHANGE OF PROPERTY Instrument of EXTRACT - see Copy (No. 24).	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.
32. FURTHER CHARGE-Instrument of, that is to say, instrument imposing a further charge on mortgaged property-	
a. When the original mortgage is one of the description referred to in clause (a) of Article 40 (that is with possession);	The same duty as a Conveyance (No. 23) for a consideration equal to the further charge secured by such instrument.
b. where such mortgage is one of the description referred to in clause	
c. of Article No. 40 (that is with Out 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. 24) 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.
ii. if possession is not so given	The Same duty as a bond (No. 15) for the amount of the further charge secured by such Instrument.
33. GIFT - Instrument of, not being a Settlement (No. 58) or will or Transfer (No. 62)	The same duty as a Conveyance (No. 23) for a consideration equal to the value of the property as set forth in such instrument.
HIRING AGREEMENT or agreement for service, See Agreement (No. 5)	The same duty as a Security Bond (No. 57) for the same amount.
34. INDEMNITY BOND. INSPECTORSHIP DEED, See Composition Deed (No. 22)	
35. LEASE, including as under lease and any agreement to let or sublet :-	

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|---|--|
| a. when by such lease the rent is fixed and no premium is paid or delivered-  | The same duty as a Bond (No. 15) for the whole amount payable or deliverable under such lease  |
| i. where the lease purports to be for a term of less than one year;   | The same duty, as a Bond (No. 15) for the amount or value of the average annual rent reserved  |
| ii. where the lease purports to be for term of not less than one year but not more than five years;                     |  |
| iii. where the lease purports to be for a term exceeding five years and not exceeding ten years;                        | The same duty as a Conveyance (No. 23) for a consideration equal to 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) for a consideration equal to twice 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.                          | The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average annual rent reserved.   |
| vi. where the lease purports to be for a term exceeding thirty years, but not exceeding one hundred years;              | The same duty as a Conveyance (No. 23) for consideration equal to four times the amount or value of the average annual rent reserved.  |
| vii. where the lease purports to be for a term exceeding to be for a term exceeding one hundred years or in perpetuity; | The same duty as a Conveyance (No. 23) for consideration equal in the case of a lease granted solely for agricultural purposes to one tenth and in any other case to one-sixth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease. |

viii. where the lease does not purport to be for any definite term;

The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average paid or delivered for the first ten years if the lease continued so long.

b. where the lease is granted for a fine premium or for money advanced where no rent is reserved;

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.

c. where the lease is granted for a fine or premium or for money advanced, addition to rent reserved.

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 premium or advance had been paid or delivered:

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

### Exemption

Lease executed in the case of a cultivator and for the purpose of cultivation (including a lease of trees for the producing 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.

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

EXPLANATION- When a lessee undertakes to pay any recurring charge, such as Government revenue, the land-lord's share of casses, or the owner's share of municipal rates of taxes which is by law recoverable from the lessor the amount so agreed to be paid by the lessee shall be deemed to be part of the rent.

36. LETTTR 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. Forty-five paise

See also CERTIFICATE or other document (No. 19).

38. Letter of License, 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. Thirty-three rupees and eighty paise.

39. MEMORANDUM OR ASSOCIATION OF A COMPANY:-

- |   |  |
|---|--|
| (a) if accompanied by articles of association under Section 26 of the Companies Act, 1956 ; | Ninety-nine rupees.                            |
| (b) if not so accompanied-  |  |
| (i) where the nominal share capital does not exceed one lakh of rupees ;                    | Two hundred forty-seven rupees and fifty paise |
| (ii) where the nominal share capital exceeds one lakh of rupees.;                           | Four hundred twelve rupees and fifty paise.    |

### Exemption

Memorandum of any association not formed for profit and registered under Section 25 of the Companies Act 1965.

40. MORTGAGE DEED, not being an Agreement relation 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 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 possession of the property comprised in such deed is not given by the mortgagor nor agreed to be given;                     | 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-att-orney to collect rents or a lease of the property mortgaged or part thereof the property to give possession within the meaning of this article;

- |    |  |                            |
|----|--|----------------------------|
| c. | i. when a collateral or auxiliary or additional or submitted security, 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; | Two rupees and fifty paise |
|    | ii.and for every Rs. 1,000 or part thereof secured in excess of Rupees 1,000;  | Three rupees.              |

### Exemptions

1. Instruments executed by persons taking advances under the Land Improvement Loans Act, 1883, or 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.

41. MORTGAGE OF CHOP 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; and for every Rs. 200. or part thereof secured in excess of Rs. 200	Forty-five paise
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b. when the loan is repayable more than three months, but not more than eighteen months from the date of instrument—

- for every sum secured not exceeding Rs. 100; and for every Rs. 100; or part thereof secured in excess of Rs. 100.	Sixty paise.  Seventy paise  Seventy paise
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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 the duties of his office or by any other person lawfully acting as a Notary Public.

Four rupees and ninety-five paise

See also Protest of Bill of Note (No. 50).

43. NOTE OR MEMORANDUM 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;	Eighty paise
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- b. of any stock or marketable security exceeding in value twenty rupees. Ninty paise for every Rs. 5,000 or part thereof of the value of the stock as security subject to a maximum of fourty nine rupees and fifty paise.

#### 44. NOTE OF PROTEST BY THE MASTER OF A SHIP-

Three rupees and thirty paise.

See also Protest by the master of a Ship (No. 51).

#### ORDER FOR THE PAYMENT OF MONEY See Bill of Exchange (NO. 13).

#### 45. PARTITION - 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.

N.B.- The largest share remaining after the property is partitioned (or if there are two or more shares of equal valur and not smaller than any of the other share, 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 and agreement to divide property in severalty is executed and a partition is effected in pursuance of such agreement, the duty chargeable upon the instrument affecting such the instrument effecting such partition shall be redueced by the amount of

duty paid in respect of the first instrument but shall not be less than Two rupees and twenty paise.

b. where land is held on 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 three rupees and thirty paise

#### 46. PARTNERSHIP-

##### A-Instrument of-

a. where the capital of the partnership does not, exceed Rs. 1,000;

The same duty as Bond (No. 15)

Sixty-six rupees.

b. in any other case

Thirty three rupees.

##### B. Dissolution of-

PAWN OR PLEDGE - See Agreement relating to deposit of Title deed, PAWN or pledge (No. 6).

48. POWER OR ATTORNEY- (as defined by Section 2 (21) not being a proxy—

- |  |   |
|--|---|
| 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; | Two rupees and fifty paise  |
| b) When required in suits or proceeding under the presidency small cause Court Ac, 1882;   | Two rupees any fifty paise  |
| (c) When authorizing one person or more to act in a single transaction other than the case mentioned in Cl. (a);   | Five rupees.  |
| (d) When authorizing not more than five persons to act jointly and severally in more than one transaction or generally;  | Twenty-four rupees and seventy paise.                                       |
| (e) When authorizing more than five but not more than ten persons to act jointly and severally in more than one transaction or generally;  | Forty -nine rupees and fifty paise  |
| (f) When given for consideration and authorizing the attorney to sell any immovable property;  | The same duty as a Conveyance (No. 23) for the amount of the consideration. |
| (g) in any other case.   | Five rupees for each person authorised.                                     |

Explanation - For purposes of the Article more persons than one when belonging to the same firm shall be deemed to be one person.

N . B . - T h e t e r m “Registration” includes every operation incidental to registration under the India Registration Act 1980.

50. PROTEST OF BILL OR NOTE, that is to say, any, declaration in writing made by a Notary Public or other persons lawfully acting as such attesting the dishonor of a bill of exchange or promissory note.

Five rupees

51. PROTEST BY THE MASTER OF SHIP, that is to say, any declaration of the particulars of her voyage drawn up by him with a view to the

Five rupees

adjustment of losses or the calculation of average, and every declaration in writing made by him against the characters or 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 the Master of Ship (No. 44)

#### 4. RECONVEYANCE OF MORTGAGED PROPERTY-

(a) If the consideration for which the property was mortgaged does not exceed Rs. 1,000;

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

(b) in any other case

Forty-nine rupees fifty paise.

5. 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. 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.

Twenty-four rupees seventy-five paise.

6. RESPONDENTIA BOND, 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.

#### REVOCATION OF ANY TRUST ON SETTLEMENT

See Settlement (No. 50); Trust (No. 64).

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 -

- |   |   |
|---|---|
| (a) when the amount secure does not exceed Rs. 1,000; | The same duty as a Bod (No. 15) for the amount secured. |
| (b) in any other case.                                | Twenty-four rupees and seventy-five paise.              |

#### 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 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 Government of Bombay in Council, under Section 70 of the Bombay Irrigation Act, 1872;
- (d) executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loans Act, 1884 or by their sureties, as security for the repayment of such advances;
- (e) executed by officers of Government or their sureties to secure the due executions of an office, or the due accounting for money or other property received by virtue thereof.

## 58. SETTLEMENT -

## a. Instrument of (including a deed of power)

The same duty as Conveyance (No. 23) 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 one rupee and ninety-five paise.

## Exemptions

(a) Deed of dower executed on the occasion of a marriage between Muhammadans;

(b) Hludassa, that is to say, any settlement of immovable property executed by a Buddhist in Burma for a religious purpose in which no value has been specified and on which a duty of Rs. 10 has been paid.

## B. Revocation of-

The same duty as a Conveyance (No. 23) for a sum equal to the amount or value of the property concerned, as set forth in the instrument of Revocation, but not exceeding forty-one rupees and twenty-five paise.

See also Trust (64)

## 59. SHARE WARRANTS, to bearer issued under the Companies Act, 1956.

One-and-a-half times the duty payable on a Conveyance (No. 23) for a consideration equal to the nominal amount of the share specified in the warrant.

### Exemptions

Share warrant when issued by a Company in pursuance of the Companies Act, 1956, Section 144, 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 and addition to its subscribed capital one-and-a-half per centum of the additional capital so issued.

- |  |   |
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| 60. SHIPPING ORDER, for or relating to the conveyance of goods on board of any vessel.         | Forty paise   |
| 61. SURRENDER OF LEASE-  | The duty with which such lease is chargeable.   |
| (a) when the duty with which the lease is chargeable does not exceed seven rupees fifty paise; |   |
| (b) in any other case ;  | Twenty-four rupees and Seventy five paise.  |
| 63. TRANSFER OF LEASE, 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. |

### Exemption

Transfer of any lease from duty.



## 64. TRUST-

- |  |   |
|--|---|
| <p>a. DECLARATION OF- or concerning any property when made by any writing not being a will.</p>  | <p>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 forty-one rupees and twenty-five paise.</p> |
| <p>b. REVOCATION OF- or concerning any property when made by any instrument other than will.</p> | <p>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 forty-one rupees and twenty-five paise.</p> |

See also Settlement (No. 58). VALUATION - see Appraisement (No. 8).