




Legislative Assembly of the State of Goa

**The Indian Stamp (Goa Amendment)
Bill, 2001**

(Bill No. 55 of 2001)


(~~To be~~ introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM-GOA
JULY, 2001.**

**THE INDIAN STAMP (GOA AMENDMENT)
BILL, 2001**

(Bill No. 55 of 2001)

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BILL

*Further to amend the Indian Stamp Act, 1899, as
in force in the State of Goa.*

Be it enacted by the Legislative Assembly of
Goa in the Fifty Second Year of the Republic of
India as follows:—

1. *Short title and commencement.*— (1) This
Act may be called the Indian Stamp (Goa
Amendment) Act, 2001. (2) It shall come into
force at once.

2. *Amendment of Schedule I-A, —* In Schedule
I-A of the Indian Stamp Act, 1899 (Central Act 2
of 1899), as in force in the State of Goa;

(i) Against entry at Sr. No. 1, in column (2),
for the words "Five rupees", the words
"Twenty rupees" shall be substituted;

(ii) against entry at Sr. No. 4, in column (2),
for the words "Five rupees" the words
"Twenty rupees" shall be substituted;

(iii) against entry at Sr. No. 19, in column (2),
for the words, "Two rupees", the words "Ten
rupees", shall be substituted;

(iv) against entry at Sr. No. 20, in column (2), for the words, "Ten rupees", the words, "Thirty rupees", shall be substituted;

(v) against entry at Sr. No. 27, in column (2), for the words, "Two rupees", the words, "Ten rupees" shall be substituted;

(vi) against entry at Sr. No. 35, in column (2), for the words, "Two rupees", the words, "Ten rupees", shall be substituted;

(vii) against entry at Sr. No. 41, in column (2), for the words, "Ten rupees", the words, "Twenty rupees" shall be substituted;

(viii) for entry at Sr. No. 48, the following shall be substituted, namely:—

"48. POWER OF ATTORNEY as defined in section 2(21) not being a Proxy (No. 52).

(a) When executed for the sole purpose of procuring the registration of one single transaction or for admitting execution of one or more such documents. Twenty Rupees

(b) When required in suits, or proceedings under Presidency Small Cause Courts Act, 1982. Twenty Rupees

(c) When authorising one person or more to act in a single transaction other than the case mentioned in clause (a); Twenty Rupees

(d) When authorising not more than five persons to act jointly and severally in more than one transaction or generally; Forty Rupees

(e) When authorising more than five but not more than 10 persons to act jointly and severally in more than one transaction or generally; Fifty Rupees

(f) When given for consideration and authorising the attorney to sell any immovable property; The same duty as under clause (a) or (b) as the case may be of Article No. 22 for the amount of consideration.

(g) in any other case; Twenty Rupees.

N. B. :- The term "registration" includes every operation incidental to registration under the Indian Registration Act, 1908.

Explanation — For the purpose of this article more persons than one when belonging to the same firm shall be deemed to be one person.

(ix) against entry at Sr. No. 65 in column (2), for the words, "Five rupees", the words, "Twenty rupees" shall be substituted.

Statement of Objects and Reasons

Towards additional resources mobilisation, it is proposed to amend certain articles of Schedule I-A of the Indian Stamp Act, 1899 (Central Act 2 of 1899), as in force in the State of Goa, since the stamp duty in respect thereof is found to be very low.

This Bill seeks to amend the Act, 1899, for the purpose.

Financial Memorandum

The exact financial implications involved in this Bill cannot be quantified.

Memorandum on Delegated Legislation

No delegated Legislation is envisaged in this Bill.

Porvorim,
9th July, 2001.

JOSE PHILIP D'SOUZA
Minister for Revenue

Assembly Hall,
Porvorim,
9th July, 2001

R. KOTHANDARAMAN
Secretary (Legislature)

Governor's recommendation under Article 207 of the Constitution

In pursuance of Article 207 of the Constitution, the Governor of Goa has recommended to the Legislative Assembly the Introduction and consideration of the Indian Stamp (Goa Amendment) Bill, 2001.

Annexure

Article No.	Description of Instrument	Proper stamp Duty
1	2	3

1. Acknowledgement 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 acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.	Five rupees
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4. Affidavit, including an affirmation or declaration in the case or persons by law allowed to affirm or declare instead of swearing.	Five rupees
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Note: Except in cases of affidavit pertaining to Mundkar/Tenancy matter and declaration of status of back ward class/other back ward class economically back ward class for claiming benefits under various Government schemes — Rs. 10.

19. **CERTIFICATE OR OTHER DOCUMENT**, evidencing the right or title of the holder thereof, or any other person, either to any shares, script or stock in or any incorporated company or other body corporate, or to become proprietor of charges, script or stock in or of any such Company or body. Two rupees
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 left for the specified purposes of charter whether it includes a penalty clause or not. Ten rupees
27. **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 clock 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 on transfer of the property. Two rupees

therein, when such goods exceed in value twenty rupees.

35. **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. Two rupees
41. **NOTARIAL ACT**, that is to say, any instrument, endorsement, note, attestation, certificate of entry not being a protect (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. See also Protest of Bill or note (No. 50). Two rupees
48. **POWER-OF-ATTORNEY** as defined in section 2 (21) not being a Proxy (No. 52). Ten rupees
- (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. Five rupees
- (b) When required in suits or proceedings under Presidency Small Cause Courts Act, 1982; Five rupees

- (c) When authorising one person or more to act in a single transaction other than the case mentioned in clause (a); Four rupees
- (d) When authorising not more than five persons to act jointly and severally in more than one transaction or generally; Fifteen rupees
- (e) When authorising more than five but not more than 10 persons to act jointly and severally in more than one transaction or generally; Twenty five rupees
- (f) when given for consideration and authorising the attorney to sell any immovable property; The same duty as under clause (a) or (b) as the case may of Article No. 22 for the amount of consideration.
- (g) in any other case Five rupees

65. WARRANT FOR GOODS, Five rupees
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 clock, warehouse or wharf such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.