



LEGISLATIVE ASSEMBLY OF GOA

# **The Indian Stamp (Goa Amendment) Bill, 2000**

(Bill No.4 of 2000)

  
(To be introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM  
MARCH, 2000**

# **The Indian Stamp (Goa Amendment) Bill, 2000**

**(Bill No. 4 of 2000)**

**A**

**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-first 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, 2000.

(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 “One rupee”, the words “Five rupees” shall be substituted;

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

(iii) for entry at Sr. No. 10, the following shall be substituted, namely:—

“ 10. ARTICLES OF ASSOCIATION OF A  
COMPANY

Where the Company has no share  
capital or nominal share capital  
or increased share capital.

One thousand  
rupees for  
every rupees  
5,00,000  
or part thereof.

**EXEMPTION**

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 (Article 38).”;

(iv) against entry at Sr. No. 19, in column (2), for the words “One rupee”, the words “Two rupees” shall be substituted;

(v) against entry at Sr. No. 20, in column (2), for the words “Five rupees”, the words “Ten rupees” shall be substituted;

(vi) against entry at Sr. No. 27, in column (2), for the words “One rupee”, the words “Two rupees” shall be substituted;

(vii) against entry at Sr. No. 35, in column (2), for the words “One rupee”, the words “Two rupees” shall be substituted;

(viii) against entry at Sr. No. 41, in column (2), for the words “Five rupees”, the words “Ten rupees” shall be substituted;

(ix) 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 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 proceeding under Presidency Small Cause Courts Act, 1882; 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 be, of Article No. 22 for the amount of consideration.

(g) in any other case.

Five 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.”;

(x) against entry at Sr. No. 65, in column (2), for the words “Two rupees”, the words “Five rupees” shall be substituted.

## Statement of Objects and Reasons

Towards additional resource 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. It is also proposed to amend Article 10 of Schedule I-A on the lines of the provision in the Bombay Stamp Act, 1958, since Article 10 as it stands today, specifies the stamp duty payable in respect of Articles of Association of a Company where the company has no share capital or the nominal share capital exceeds certain specified amount. There is, however, no provision indicating the stamp duty in case of further increase of authorised share capital by the Company.

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

## Financial Memorandum

The additional revenue that may accrue by the proposed enhancement in the Stamp duty would be around Rs. 10.00 crores per annum.

## Memorandum on Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim,  
10th March, 2000.

MAUVIN GODINHO  
Minister for Revenue

Assembly Hall,  
Porvorim,  
13th March, 2000.

P. N. RIVANKAR  
Secretary to the Legislative  
Assembly of Goa.

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 of Goa the Introduction and consideration of the Indian Stamp (Goa Amendment) Bill, 2000.

(Annexure to Bill No. 4 of 2000)

## The Indian Stamp (Goa Amendment) Bill, 2000

### The Indian Stamp Act, 1899

(Central Act 2 of 1899)

### SCHEDULE I — A

Description of Instrument	Proper stamp duty
1	2
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.	One rupee.
2. Administration Bond including a bond given under the Indian Succession Act, 1925, or section 6 of the Government Savings Banks Act, 1873.	
(a) Where the amount does not exceed Rs. 2,000;	Hundred rupees.
(b) in any other case:	Fifty rupees.
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.	Fifty rupees.
4. Affidavit, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing.	Two rupees.

### Exemptions

Affidavit or declaration in writing when made:—

(1)

(2)

- (a) as a condition of enrolment in the Armed Forces of the Union.
- (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 AN AGREEMENT—

- (a) if relating to the sale or exchange.
- (b) if relating to the sale or Government security or share in an incorporated company or other body corporate.
- (c) if not otherwise provided for

Fifteen rupees.

Subject to maximum of fifteen rupees twenty paise for every rupees 10,000 or part thereof of the value of the Security or share.

Ten rupees.

#### Exemptions

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. 42:
- (b) made in the form of tenders to the Central Government for or relating to any loan:

AGREEMENT TO LEASE, See LEASE (No. 34)

#### 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 movable property,

(1)

(2)

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 for more than three months from the date of the instrument evidencing the agreement;
- (b) if such loan or debt is repayable not more than three months from the date of such instrument.

The same duty as a Bill of Exchange (No. 13 (b) for the amount secured.

Half the duty payable on Bill of Exchange [No. 13 (b) ] for the amount secured.

#### Exemptions

Instrument of pawn or pledge of goods if unattested—

- 7. APPOINTMENT IN EXECUTION OF A POWER, whether of trustees or of property, movable or immovable, where made by any writing not being a will. Fifty rupees.
- 8. APPRAISEMENT OR VALUATION, made otherwise than under an order of the Court in the course of suit— One rupee.

(a) where the amount or value secured does not exceed Rs. 10/- One rupee.

where it exceeds Rs. 10/- and does not exceed Rs. 50/- One rupee.

where it exceeds Rs. 50/- and does not exceed Rs. 100/- Two rupees.

where it exceeds Rs. 100/- and does not exceed Rs. 200/- Three rupees.

where it exceeds Rs. 200/- and does not exceed Rs. 300/- Five rupees.

where it exceeds Rs. 300/- and does not exceed Rs. 400/- Six rupees.

where it exceeds Rs. 400/- and does not exceed Rs. 500/- Seven rupees.

where it exceeds Rs. 500/- and does not exceed Rs. 600/- Eight rupees.

(1)	(2)
where it exceeds Rs. 600/- and does not exceed Rs. 700/-	Nine rupees.
where it exceeds Rs. 700/- and does not exceed Rs. 800/-	Ten rupees.
where it exceeds Rs. 800/- and does not exceed Rs. 900/-	Eleven rupees.
where it exceeds Rs. 900/- and does not exceed Rs. 1000/-	Twelve rupees.
(b) in any other case	Twenty rupees.

#### Exemptions

- (a) Appraisalment 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) Appraisalment 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, not being ARTICLES OF CLERKSHIP (No. 11). Ten rupees.

#### Exemptions

- Instrument 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 company has no share capital or the nominal share capital does not exceed Rs. 1,00,000; Hundred rupees
- (b) where the nominal share capital exceeds Rs. 1,00,000 but does not exceed Rs. 5,00,000/- Five hundred rupees.
- (c) where the nominal share capital exceeds Rs. 5,00,000 but does not exceed Rs. 1,00,00,000/-

(1)	(2)
(i) on the first Rs. 5,00,000.	Five hundred rupees.
(ii) on the next Rs. 5,00,000 or part thereof.	Seven hundred rupees.
(iii) on the next Rs. 15,00,000 or part thereof.	One thousand rupees.
(iv) on the next Rs. 25,00,000 or part thereof.	One thousand five hundred rupees.
(v) on the next Rs. 50,00,000 or part thereof.	Two thousand rupees.
(d) where the nominal share capital exceeds Rs. 1,00,00,000.	Seven thousand five hundred rupees.

#### Exemption

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 (38)

11. ARTICLES OF CLERKSHIP or contract whereby any person first becomes bound to serve as a clerk in order to his admission as an attorney in and High Court. Three hundred rupees.

ASSIGNMENT; See CONVEYANCE (No. 22) TRANSFER (No. 62), TRANSFER OF LEASE (No. 63), as the case may be.

ATTORNEY See Power of Attorney (No. 48).

AUTHORITY TO ADOPT. 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 of value of the property to which the award relates as set forth in such award subject to a maximum of fifty rupees.
13. BILL OF EXCHANGE, as defined by section 2 (2) not being a Bond, bank-note or currency-note. See Schedule I.

(1) (2)

14. BILL OF LADING (including a through bill of lading). See Schedule I.

15. BOND as defined by section (5) not being a debenture No. (26) and not being otherwise provided for

VII of 1870, by this Act, or by the Court Fees Act, 1870 (7 of 1870)—

Where the amount or value secured does not exceed Rs. 10/- One rupee.

Where it exceeds Rs. 10/- and does not exceed Rs. 50/- Two rupees.

Where it exceeds Rs. 50/- and does not exceed Rs. 100/- Three rupees.

Where it exceeds Rs. 100/- and does not exceed Rs. 200/- Four rupees.

Where it exceeds Rs. 200/- and does not exceed Rs. 300/- Five rupees.

Where it exceeds Rs. 300/- and does not exceed Rs. 400/- Six rupees.

Where it exceeds Rs. 400/- and does not exceed Rs. 500/- Seven rupees.

Where it exceeds Rs. 500/- and does not exceed Rs. 600/- Eight rupees.

Where it exceeds Rs. 600/- and does not exceed Rs. 700/- Nine rupees.

Where it exceeds Rs. 700/- and does not exceed Rs. 800/- Ten rupees.

Where it exceeds Rs. 800/- and does not exceed Rs. 900/- Eleven rupees.

Where it exceeds Rs. 900/- and does not exceed Rs. 1000/- Twelve rupees.

and for every Rs. 5000/- or part thereof in excess of Rs. 1,000/- Eight rupees.

(1) (2)

See Administration Bond (No. 2), Bottomry bond (No. 16), Customs Bond or Excise Bond (No. 25), Indemnity Bond (No. 33), Respondentia Bond (No. 56), Security bond (No. 57).

### Exemptions

Bond, when executed by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or to any other object of public utility shall not be less than a specified sum per mensem.

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 her voyage. The same duty as a Bond (No. 15) for the same amount.

17. CANCELLATION— Instrument of (including any instrument by which any instrument previously executed is cancelled), if attested and not otherwise provided for. Fifteen rupees.

See also Release (No. 55), Revocation of Settlement (No. 58 B), Surrender of Lease (No. 61), Revocation of Trust (No. 64 B).

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 Civil or Revenue Court, or Collector or other Revenue Officer or by an Officer of Customs.

(a) where the purchase money does not exceed Rs. 10/- One rupee.

(b) where the purchase money exceeds Rs. 10/- but does not exceed Rs. 25/- One rupee fifty paise

(c) in any other case. The same duty as is leviable under clause (a) or (b) as the case may be, of article 23 for a consideration equal to the amount of the purchase money.

(1)

(2)

19. **CERTIFICATE OR OTHER DOCUMENT**, evidencing the right or title 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 of stock in or of any such company or body. One rupee.
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, either it includes a penalty clauses or not. Five rupees.
21. **COMPOSITION — DEED**, that is to say, any instrument (except an agreement 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 benefits of his creditors— Twenty five rupees.
22. (a) **CONVEYANCE**, other than a conveyance specified in clause (b), not being a Transfer charge or exempted under article No. 62.
- when the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50/- Three rupees.
- where it exceeds Rs. 50/- but does not exceed Rs. 100/- Five rupees.
- where it exceeds Rs. 100/- but does not exceed Rs. 200/- Ten rupees.
- where it exceeds Rs. 200/- but does not exceed Rs. 300/- Fifteen rupees.
- where it exceeds Rs. 300/- but does not exceed Rs. 400/- Twenty rupees.
- where it exceeds Rs. 400/- but does not exceed Rs. 500/- Twenty five rupees.
- where it exceeds Rs. 500/- but does not exceed Rs. 600/- Thirty rupees.
- where it exceeds Rs. 600/- but does not exceed Rs. 700/- Thirty five rupees.
- where it exceeds Rs. 700/- but does not exceed Rs. 800/- Forty rupees.
- where it exceeds Rs. 800/- but does not exceed Rs. 900/- Forty five rupees.

(1)

(2)

where it exceeds Rs. 900/- but does not exceed Fifty rupees.  
Rs. 1000/-

and for every Rs. 500/- or part thereof in excess of Thirty five rupees.  
Rs. 1,000/-.

### Exemptions

Assignment of copyright by entry made under the Copyright Act, 1957.

- (b) **CONVEYANCE** (Not being a transfer charged or exempted under Article No. 62) so far as it relates to immovable property.

where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 200/- Fifteen rupees.

where it exceeds Rs. 200/- but does not exceed Rs. 300/- Twenty rupees.

where it exceeds Rs. 300/- but does not exceed Rs. 400/- Thirty rupees.

where it exceeds Rs. 400/- but does not exceed Rs. 500/- Forty rupees.

where it exceeds Rs. 500/- but does not exceed Rs. 600/- Forty five rupees.

where it exceeds Rs. 600/- but does not exceed Rs. 700/- Fifty rupees.

where it exceeds Rs. 700/- but does not exceed Rs. 800/- Sixty rupees.

where it exceeds Rs. 800/- but does not exceed Rs. 900/- Sixty five rupees.

where it exceeds Rs. 900/- but does not exceed Rs. 1,000/- Seventy five rupees.

and for every Rs. 500/- or part thereof in excess of Forty rupees.  
Rs. 1,000/-.

### CO-PARTNERSHIP DEED, See Partnership (No. 46)

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



(1)

(2)

- (i) if the original was not chargeable with duty or if the duty with which it was chargeable does not exceed one rupee and fifty paise. Five rupees.
- (ii) in any other case. Seven rupees.

### 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.
- (b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, divorces, deaths or burials.
24. 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 three rupees. The same duty as is payable on the original.
- (b) in any other case. Five rupees.

### Exemption

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

### 25. CUSTOMS-BOND OR EXCISE-BOND —

- (a) where amount does not exceed Rs. 1,000/- The same duty as a Bond (No. 15) for such amount.
- (b) in any other case. Fifteen rupees.

### 26. DEBENTURE

See Schedule I

DECLARATION OF ANY TRUST, See trust (No. 64)

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 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 One rupee.

(1)

(2)

owner of such goods, upon the sale or transfer of the property therein, when such goods exceeds in value twenty rupees.

DEPOSIT OF TITLE-DEED, see agreement relating to deposit of Title Deeds, Pawn or Pledge (No. 6)

DISSOLUTION OF PARTNERSHIP, see Partnership (No. 45).

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

POWER—Instrument of — See settlement (No. 58).

DUPLICATE — See Counterpart (No. 24)

30. EXCHANGE OF PROPERTY — Instrument of —

EXTRACT — See Copy (No. 23)

EXCISE BOND — See Customs Bond or Excise Bond (No. 25).

31. FURTHER CHARGE— Instrument of, that is to say, any instrument imposing a further charge on the mortgaged property—

- (a) when such mortgage is one of the description referred to in clause (a) of Article No. 39 that is with possession. The same duty as a mortgage deed with position (No. 39) (a) for the amount equal to the amount of the further charge secured by such instrument.
- (b) when such mortgage is one of the description referred to in clause (a) of Article No. 39 without that is with 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 mortgage deed with possession No. 39 (a) for the amount equal to the total of the charge (including the original mortgage demand any further charge already made) less the duty already paid on such original mortgage and further charge.

(1)	(2)
(ii) if possession is not so given.	The same duty as a Bond (No. 15) for the amount or further charge secured by such instrument.
32. GIFT ... Instrument of, not being a Settlement (No. 58) of Will or Transfer (No. 62.)	The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be of Article 22 for a consideration equal to the value of the property which is subject matter of gifts.
HIRING AGREEMENT or agreement for service. See Agreement (No. 5).	
33. INDEMNITY — BOND.	The Same duty as a security Bond (no. 57) for the same amount.
INSPECTORSHIP DEED — See Composition Deed (No. 22).	Same amount.
INSURANCE — See Policy of Insurance (No. 47).	
35. LEASE, including under-lease or sub-lease and any agreement to let or sublet.	
(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;	Half of the duty payable on a Bond (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 five years;	Half of the duty payable on a Bond (No. 15) for the amount or value of the average annual rent reserved.
(iii) where the lease purports to be for a term exceeding five years and not exceeding ten years;	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a consideration equal to the amount or value of the average annual rent reserved.

(1)	(2)
(iv) where the lease purports to be for a term exceeding 10 years but not exceeding 20 years;	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, 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 20 years but not exceeding 30 years;	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, 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 30 years but not exceeding 100 years;	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a 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 100 years or in perpetuity;	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a consideration equal in the case of a lease granted solely for a agricultural purposes to 1/10th and in any other case to 1/6th of the whole amount of rent which would be paid or delivered in respect of the first 50 years of lease.
(viii) where the lease does not purport to be for any definite term.	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a consideration equal to three times the amount or value of the average annual rent which would be or paid delivered for the first 10 years if the lease continued so long.

(1)	(2)
(b) where lease is granted for a fine or premium or for money advanced and where no rent is reserved.	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a consideration equal to the amount or value of fine or premium or advance as set forth in the lease.
(c) where lease is granted for a fine or premium or for money advanced in addition to rent is reserved.	One third of the duty payable on a Conveyance (No. 22) (a) as levied by this Act, for a consideration equal to the amount or value of the such fine or premium or advance as set forth in the lease in addition to the duty which would have been payable on such a lease, if no fine or premium or advance had been paid or delivered.

### 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 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 a homestead or tank.

*Explanation I.* Rent paid in advance shall be deemed to be premium or 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.

*Explanation II.* When a lessee undertakes to pay and recurring charge such as Government revenue, landlord's share of ceases, or owner's share of municipal rates or taxes, which is by law recoverable from the lessor and also the cost of repair and improvements paid by the lessee; the amount so

(1)	(2)
agreed to be paid by the lessee; the amount so agreed to be paid by the lessee shall be deemed to be part of the rent.	
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.	One rupee.
See also Certificate or other Document (No. 19).	
36. LETTER OF CREDIT.	See Schedule I
LETTER OF GUARANTEE, See Agreement (No. 5)	
37. LETTER OF LICENCE, that is to say, any agreement between a debtor and his creditors that the letter shall, for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion.	Twenty five rupees.
38. MEMORANDUM OF ASSOCIATION OF A COMPANY—	
(a) if accompanied by article of association under section 26 of the Companies Act, 1956.	One hundred and fifty rupees.
(b) if not so accompanied.	The same duty as is leviable on article of association under article 10 according to the share capital of the company.

### Exemptions

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

39. MORTGAGE-DEED, not being an agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 40), Respondentia Bond (No. 56), of 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 is leviable on a Conveyance under clause (a) or (b) as the case may be of Article No. 22 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 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 the article.

- (c) when a collateral or auxiliary or additional or substituted security, or by way of further assurances for the above mentioned purposes where the principal or primary security is duly stamped.—

for every sum secured not exceeding Rs. 1,000/- Two rupees.

and for every Rs. 1,000/- or part thereof secured in excess of Rs. 1,000/- Two rupees.

### Exemptions

- (1) Instrument executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loan Act, 1884 or by their sureties as secured for the repayment of such advances.

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

40. MORTGAGED OF A CROP, including any instruments 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 ex-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 of secured not exceeding Rs. 200/- One rupee.

and for every Rs. 200/- or part thereof secured in excess of Rs. 200/- One rupee.

- (b) when the loan is repayable more than three months, but more than eighteen months, from the date of the instrument—

for every sum secured not exceeding Rs. 100/- One rupee.

(1)

(2)

and for every Rs. 100/- or part thereof secured in excess of Rs. 100/- One rupees.

41. NOTARIAL ACT, that is to say, any instrument, endorsement, note, attestation, certificate of 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 see also Protest of Bill or note (No. 50). Five rupees.

42. NOTE OF MEMORANDUM, sent by a Broker Agent to his Principal intimating the purchase or sale on account of such Principal—

(a) of any goods, exceeding in value twenty rupees. One rupee.

(b) of any stock or marketable security exceeding in value twenty rupees. Subject to a maximum of fifty rupees, one rupee for every Rs. 10,000 or part thereof of the value of the stock or security.

43. NOTE OF PROTEST BY THE MASTER OF SHIP Two rupees fifty paise.

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

ORDER FOR THE PAYMENT OF MONEY.

See Bill of Exchange (No. 13)

44. 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 property is partitioned or if there are two or more shares of equal value and not smaller than any of the other shares than one of such equal shares shall be deemed to be that from which the other shares are separated:

(1)

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Provided always that—

- a) When an instrument of partition containing 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 seventy five paise.
- 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 ten times the annual revenue.
- c) where a final order for effecting 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 partitions in pursuance of such order or award is subsequently executed, the duty on such instrument shall not exceed seventy five Paise.

(1)

(2)

#### 45. PARTNERSHIP —

##### A. Instrument of —

- (a) where the capital of the partnership does not exceed Rs. 1,000/- Five rupees.  
where the capital of the partnership does not exceed Rs. 5,000/- Fifteen rupees.  
where the capital of the partnership does not exceed Rs. 10,000/- Twenty five rupees.  
where the capital of the partnership does not exceed Rs. 15,000/- Fifty rupees.  
where the capital of the partnership does not exceed Rs. 15,000/- Fifty rupees.  
where the capital of the partnership does not exceed Rs. 20,000/- Seventy five rupees.

- (b) in any other case. One hundred and fifty rupees.
- B. Dissolution of Fifty rupees.

PAWN OR PLEDGE, See Agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6).

#### 47. POLICY OF INSURANCE—

See Schedule I

#### 48. Power of Attorney as defined in section 2 (21) not being a Proxy (No. 52).

- (a) when executed for the purpose of procuring the registration of one or more documents in relation of one or more documents in relation to a single transaction or for admitting execution of one more such documents. Three rupees.
- (b) when required in suits or proceedings under Presidency Small Cause Courts Act, 1982; Three rupees.
- (c) when the authorising one person or more to act in a single transaction other than the case mentioned in clause (a); Four rupees.

(1)	(2)
(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 construction 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.	Three rupees.
	<i>N. B.</i> The term "registration" include every operation incidental to registration under the Indian Registration Act, 1908.
<i>Explanation</i> —For the purpose of this article more persons than one when belonging to the same firm shall be deemed to be one person.	
49. PROMISSORY NOTE:	See Schedule I
50. Protest of Bill or note, that is to say, 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.	Four rupees.
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 averages and every declaration in writing made by him against the characters or the consignors 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.	Five rupees.
See also Note of Protest by the Master of the Ship (No. 44).	
52. PROXY.	See Schedule I
53. RECEIPTS.	See Schedule I

(1)	(2)
54. RECONVEYANCE OF MORTGAGED PROPERTY—	
(a) if the consideration for which the property was mortgaged does not exceed Rs. 1,000/-	The same duty as is leviable on a conveyance under clause (a) of Article No. 22 for the amount such consideration as set forth in the reconveyance.
(b) in any other case—	Fifty rupees.
55. Release, that is to say, any instrument (not being such release as is provided for the section 23A) 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 the amount or value as set forth in the release.
(b) in any other case—	Fifteen rupees.
56. 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 Bond of Respondentia (No. 16) for the amount of the loan secured.
REVOCATION OF ANY TRUST OR SETTLEMENT.	
See Settlement (No. 58); Trust (No. 64).	
57. SECURITY, BOND OR MORTGAGE DEED, executed by way of security for the due execution of any 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.	Fifteen rupees.

(1)

(2)

### Exemptions

Bond or other instrument, when executed.

- (a) by any person for the purpose of guaranteeing that the local income derived 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 mensem.
- (b) by person taking advances under the Land Improvement Loans Act, 1882, or the Agriculturists Loans Act, 1884, or by their sureties as security for the repayment of such advances;
- (c) by officers of Government or their sureties to secure the due executed of an office, or in the due accounting for money or other property received by virtue thereof.

### 58. SETTLEMENT—

A— Instrument of (including a deed of dower)

The same duty as a Bond (No. 15) for a some equal to the amount or value of the property settled as set forth in such settlement Provided the that where an agreement to settle is stamped with stamp required for an instrument of settlement in pursuance of such an agreement is subsequently executed, the duty on such instrument shall not exceed rupees two.

### Exemptions

Deed of dower executed on the occasion of a marriage betwe Muhammadans.

Thirty rupees.

B—Revocation of —

See also Trust (No. 64).

(1)

(2)

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

One and half time duty payable on a mortgage deed with possession No. 59 (a) for the amount equal to the nominal amount of shares specified in the warrant.

### Exemptions

Share warrant when issued by a Company in pursuance of the Company's Act 1956, section 114, to have effect only upon payment as, composition for that duty, to the Collector of Stamp Revenue of —

- (a) one- and -a half per cent 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 the subscribed capital, one and half per centum of the addition capital so issued.

SCRIP, See Certificate (No. 19)

60. Shipping Order for or relating to the conveyance of goods on board of any vessel. One rupee.

61. SURRENDER OF LEASE —

- (a) when the duty with which the lease is chargeable does not exceed ten rupees. The duty with which such lease is chargeable.
- (b) in any other case. Fifteen rupees.

### Exemptions

Surrender of lease, when such lease is exempted from duty.

62. Transfer (whether with or without consideration)—

- (a) of share in an incorporated company or other body corporate; See Schedule I

(1)	(2)
(b) of debentures, beings marketable securities, whether the debenture is liable to duty or not, except debentures provided for by section 8;	One half of the duty payable on a debenture No. 26 for a consideration equal to the face amount of the debenture.
(c) of any interest secured by bond, mortgage deed or policy of insurance.	One half of the duty which such bond, mortgage deeds or policy insurance is chargeable subject to minimum of rupees Seventy five.
(d) of any property under the Administrator General Act, 1961, section 25;	Twenty five rupees.
(e) of any trust-property without consideration from one trustee to another trustee, or from a trustee to a beneficiary.	Fifteen rupees.

### Exemptions

#### Transfer by endorsement—

- (a) of bill of exchange, cheque or promissory note;
- (b) of a bill of lading, delivery, warrant for goods or other mercantile document of title to goods;
- (c) of policy of insurance;
- (d) of securities of the Central Government.

See also section 8.

63. The transfer of lease by way of assignment and not by way of under lease;
- The same duty as is leviable on a conveyance with clause (a) or (b) as the case may be, of Article 22 for consideration equal to the amount of the consideration for the transfer.

Transfer of any lease exempt from duty.

(1)	(2)
64. TRUST—	
(a) declaration of or concerning any property when made by any writing not being a Will.	Fifty rupees.
(b) Revocation of— of, or concerning any property when made by any instrument other than a Will.	Thirty rupees.
See also Settlement (No. 58).	
Valuation. See Appraisement (no. 8).	
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 dock, warehouse or wharf such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.	Two rupees.

Assembly Hall,  
Povorim,  
13th March, 2000.

P. N. RIVANKAR,  
Secretary to the Legislative  
Assembly Goa.