

CIRCULAR

Subj: K.S. Act and Rules - Undervaluation in documents -
action under Section 45A of the Stamp Act in
'Conveyance deeds' dispensed.

Ref:- D.O.Lr.No.12458/E2/78/TD dtd.20-7-78 of Secretary
to Govt, Taxes Department.

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Under section 3 of Kerala Stamp Act 1959, an instrument shall be chargeable with duty of the amount indicated in the schedule to the Act as per the proper duty therefor. The proper duty in the case of a conveyance has been indicated in the schedule as Rs.7.50 for every Rs. 100/- or part thereof of the amount or value of the consideration for such conveyance. The duty in respect of Conveyance has therefore, to be calculated on the basis of the consideration. Since consideration need not be related to the market value of the land, it will not be legal to assess stamp duty on the basis of the market value until the Act is suitably amended.

The question of suitably amending the act is still under consideration of Government. Pending finalisation of the same, it is informed by Government that, there is no objection in suspending/dispensing with the enquiry into the deeds in respect of conveyances U/s.45 A of the stamp Act.

In the light of the above instruction the following instructions are issued in the matter.

- 1) District Registrar, Ernakulam and all Sub Registrars are informed that copies of Sale deeds need not be sent to this office to take action U/s. 45 (A)
- 2) Tahsildars are directed to dispense with further action on all sale deeds sent from this office to take action U/s.45 (A)
- 3) Further action U/s. 45 A on all the pending files relating to sale deeds stands dropped.

Sd/-
For Collector
16-8-1978.

To

- 1) The District Registrar, Ernakulam.
- 2) All Sub Registrars.
- 3) All Tahsildar.

Copy to B 12 Seat

Copy to Stock file of B2 Seat (with copy of the D.O.letter referred