

# **West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 2001**

WEST BENGAL

India

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### **Rule**

### **WEST-BENGAL-STAMP-PREVENTION-OF-UNDERVALUATION-OF-INS of 2001**

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West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 2001Published vide Notification No. 821-F.T, dated 1st March, 2001 (w.e.f. 15.03.2001) and published in the Calcutta Gazette Extraordinary, Part 1, dated 5.03.2001.[As amended by Notification No. 1614-FT, dated 5.10.2010][With effect from 5.10.2010]In exercise of the power conferred by clause (16B) of section 2, section 27, section 47A and section 75 of the Indian Stamp Act, 1899 (2 of 1899), and in supersession of this department notification No. 248-F.T., dated the 31st January, 1994, the Governor is pleased hereby to make the following rules:

### **1. Short title and commencement.**

(1)These rules may be called the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 2001.(2)They shall come into force from the 15th day of March, 2001.

### **2. Definitions.**

(1)In these rules, unless the context otherwise requires,-(a)"the Act" means the Indian Stamp Act, 1899 (2 of 1899);(b)"agency bank" means any bank which serves as the agency bank to perform the functions of the Government Treasury of the sub-division within which the office of the registering officer is located;(c)"appropriate District Registrar means the Registrar appointed under section 6 of the Registration Act, 1908 (16 of 1908) of a district within which the property, or a portion thereof, which is the subject-matter of an instrument is situated;(ca)[ "archival" means entering data including images on the electronic storage media such as the Compact Disc (CD), the tape, the hard

disc and the like, with the intention of preserving the same for long periods and includes retrieving of such data for re-archival] [Clause (ca) inserted by Clause (1)(a) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010.](d)"authorised agent" means,-(i)a person holding a power of attorney authorising him to act on behalf of his principal, or(ii)an agent empowered by a written authorisation of his principal;(e)"Chief Controlling Revenue Authority" means the Chief Controlling Revenue Authority appointed by the State Government;(ea)[ "Computerization of Registration of Documents (CORD)" means the software designed for performing the various functions associated with the act of registration of a deed through electronic devices to ensure speedy delivery of registered deed or documents to the members of the public presenting the deeds for registration; [Clauses (ea) to (eh) Inserted by clause (1)(b), ibid, w.e.f. 5.10.2010.](c(cb) "Compact Disc (CD)" means an electronic storage device on which data and images may be stored in an electronic digital form;(ec)"Compact Disc (CD) writer" means an electronic device used to copy data available in digital form on an electronic storage device, in a Compact Disc (CD);(ed)"Data Entry Operator" means the employee entrusted with the work of entering all particulars of an instrument in the system of the Computerization of Registration of Documents (CORD) software with the help of a computer and includes an individual engaged by the private partner concerned as per agreement between the Government and the said private partner;(ef)"employee" means the person employed or engaged by the State Government in the registration office where the registration of deeds or documents is being done through the system of the Computerization of Registration of Documents (CORD);(eg)"hard ware" includes the electronic devices, such as Computers, scanners, printers, Compact Disc (CD) writers, etc. which are used to capture, store and process data in a digital form;(eh)"imaging" means the process of scanning the documents and managing the storage, classification and includes retrieval of electronic digital images so generated;](f)"registering officer" means the registering officer appointed under the Registration Act, 1908 (16 of 1908);(fa)[ "requisition forms" means the forms appended to Appendix V of the West Bengal Registration Rules, 1962;] [Clause (fa) Inserted by Clause (1)(c) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010.](g)"section" means a section of the Act.(ga)[ "scanner" means an electronic device used in conjunction with a computer and a suitable software to convert documents on paper into electronic digital images to be stored on electronic media and retrieved when required and the words "scanning" and "scanned" shall be construed accordingly; [Clauses (ga) to (gc) Inserted by Clause (1)(d), ibid, w.e.f. 5.10.2010.](gb)"software" includes a set of computer programmes or coded instructions given to the computer system to enable such computer perform different predetermined functions and to generate the desired output;(gc)"standard user-charges" means the user-charge of the fees in addition to the registration fees as determined by the State Government to be paid by the members of the registrant public for registration of an instrument through the system of Communization of Registration of Documents (CORD) software;](2)Words and expressions used in these rules and not defined, but defined in the Registration Act, 1908 (16 of 1908) or in the Indian Stamp Act, 1899 (2 of 1899), shall have the same meaning as respectively assigned to them in these Acts.

### **3. Manner of determination of market value and furnishing of particulars relating to any property.**

(1) The market value within the meaning of clause [16(B)] of section 2 in relation to any land or any land with building shall, after taking into consideration the particulars referred to in sub rule (2), be determined on the basis of the highest price for which sale of any land or any land with building, of similar nature and area and in the same locality or in a comparable locality, has been negotiated and settled during the five consecutive years immediately proceeding the date of execution of any instrument setting forth such market value, or on the basis of any court decision after hearing the State Government, or on the basis of information, report or record that may be available from any court or any officer or authority of the Central Government or the State Government or any local authority or local body, or on the basis of consideration stated in such instrument for such land or land with building, whichever is greater. (2) Any person executing an instrument of agreement or memorandum of an agreement relating to a sale or lease-cum-sale of immovable property, conveyance, exchange of property, gift, partition, power-of-attorney where proper stamp duty is payable on the basis of market value, settlement, transfer of lease by way of assignment, shall furnish to the registering officer, in addition to the particulars referred to in sub-section (1) and sub-section (2) of section 27, such particulars in respect of the property as may be applicable to that property and as specified in a statement in Form I, in case the land with building is situated in an urban area, in Form II, in case the land with building is situated in a rural area, in Form III, in case the land is situated in urban area, in Form IV, in case the land is situated in rural area. (3) Such a statement shall be signed and verified by the person executing the instruments referred to in sub-rule (2), and presenting it before a registering officer for registration. (4) A statement shall, after being signed and verified as required by sub-rule (3), be annexed in duplicate, to the instrument referred to in sub-rule (2), which is, upon execution, presented before the registering officer for registration. (5) If an instrument referred to in sub-rule (2) relates to more than one item of property, the statement referred to in sub-rule (2) shall be furnished by the person executing such instrument for each item of property separately in Form I, Form II, Form III or Form IV, as the case may be. (6) If, in relation to any property which is the subject-matter of registration of any instrument referred to in sub-rule (2), the market value is not set forth therein, and if the facts and circumstances affecting the chargeability of an instrument with stamp duty and the particulars relating to such facts and circumstances are not fully and truly set forth and furnished in a statement referred to in sub-rule (3), filled in, signed and verified by the person executing the instrument in the manner referred to in sub-rule (4), the registering officer may refuse registration of such instrument after giving such person a reasonable opportunity of being heard. (7) On receipt of any instrument referred to in sub-rule (2) in relation to a property together with the statement in Form I, Form II, Form III or Form IV, as the case may be, annexed thereto, if the registering officer has reason to believe that the market value of the property has not been truly set forth in such instrument, he may make such enquiries and take into account such court decision, information, report or record from any court or any officer or authority of the Central Government or the State Government or any local authority or local body or any person having knowledge relating to market value of the property of similar nature and area, and situated in the same locality or in a comparable locality as he deems fit for ascertaining the market value of the property and proper stamp duty chargeable. (8) On the basis of enquiries, court decision, information, report or records referred to in sub-rule (7), as the case may be, the registering officer shall ascertain the market value of the property and shall pass an order in writing to that effect in Form I, Form II, Form III or Form IV, as the case may be. and if he finds that the market value of the property is more than that has been set

forth in the instrument referred to in sub-rule (2), he shall keep the registration of the document in abeyance and shall issue notice in Form V communicating the person by whom the stamp duty is payable under section 29, or his authorised agent, or authorised advocate the amount which he believes to be the market value of such property and calling upon him to make payment of the deficit amount of stamp duty within the period of thirty days from the date of receipt of such notice. The registering officer shall record the particulars of such documents in Form VA.(9)If the person by whom the stamp duty is payable under section 29, or his authorised agent, or authorised advocate to whom the market value has been communicated under sub-rule (8), offers to pay the deficit amount of stamp duty, if any, he shall deposit it into a Government Treasury on appropriate head of Account under appropriate challan, obtainable at any office of the registering officer, or any Government Treasury, after it is countersigned by the registering officer concerned or shall pay it by a bank draft drawn on any agency bank in favour of the concerned registering officer before whom such instrument was presented for reiteration.(10)The challan as aforesaid shall be filled up in quadruplicate and shall contain the name and address of the person on whose behalf stamp duty is deposited and the particulars of the instrument. On deposit of the amount, the duplicate copy of the challan shall be retained by the Government Treasury, the triplicate copy shall be sent to the registering officer and the other two copies shall be returned to the depositor duly signed as proof of payment.(11)On receipt of the challan or bank draft, as the case may be, as proof of payment of the deficit amount of stamp duty, the registering officer shall, within ten days from the date of receipt of the said challan or bank draft, as the case may be, certify, by recording in such instrument that the proper stamp duty with which such instrument is chargeable, has been paid and register the instrument.[Provided that the provisions of sub-rule (1) to sub-rule (11) of this rule, shall not be applicable in case an instrument is registered through the system of Computerization of Registration of Documents (CORD) software.] [Proviso added Clause (2) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010.][3A. Manner of determination of market value when instrument is registered through the system of CORD. - When an instrument is registered through the system of CORD, the market value within the meaning of clause 16(B) of section 2 in relation to any land or any land with building or any flat used for residential or commercial or semi-commercial purpose, shall be determined in accordance with the provisions of rules 3B to 3E. ] [Rules 3A to 3E Inserted by Clause (3), ibid, w.e.f. 5.10.2010.]

### **3B. Guidelines for preparation of annual statement of market value of immovable property.**

(1)Every registering officer shall prepare annual statement of rates of immovable property showing-(a)the rate per decimal, in case of land;(b)the rate per sq.ft., in case of buildings or any other structure;(c)the rate per sq.ft., in case of flat used for residential or commercial or semi-commercial purpose.(2)For the purpose of preparation of the annual statement of rates of land referred to in clause (a) of sub-rule (1), the registering officer shall prepare the rate of land-(a)in case of land situated within the jurisdiction of the Panchayat area, in respect of Dag No. of each mouja;(b)in case of land situated within the jurisdiction of any municipal area except the municipal corporation area, the Kolkata Municipal Corporation and the Howrah Municipal Corporation, in respect of Dag No. of each mouja or ward wise or road wise after demarcating the roads in zones;(c)in case of land situated within the jurisdiction of any notified authority or area or

Development authority, in respect of sector/ block/phase wise or plot wise;(d)in case of land situated within the jurisdiction of the municipal corporation area other than the Kolkata Municipal Corporation and the Howrah Municipal Corporation area, in respect of ward wise or road wise after demarcating the roads in zones;(e)in case of land situated within the jurisdiction of the Kolkata Municipal Corporation or the Howrah Municipal Corporation, in respect of road wise or in respect of road wise after demarcating the roads in zones.(3)For this purpose, land may be classified in groups, sub-groups or classes after taking into account the type of the land, location and situational advantages or disadvantages or use of land from the market value equivalency point of view of registrable property.(4)The market value of land referred to in sub-rule (1) shall be prepared on the basis of market value of concerned land for which the said land has been transacted during the five consecutive years immediately preceding the year of preparation of annual statement of market value of immovable property. If such land has been transacted more than once, the highest value for which it has earlier been transacted shall be taken into consideration. The year-wise appreciation from the year of previous transaction to the year of preparation of the annual statement of rates of land shall be taken into consideration for the purpose of preparation of the annual statement of rates of land.(5)The market value of land which has not been transacted during the five consecutive years immediately preceding the year of preparation of annual statement of rate of such land, shall be prepared on the basis of the highest value on which land of similar nature in the same locality or in a comparable locality has been transacted during the five consecutive years immediately preceding the year of preparation of annual statement of rates of land or on the basis of decision of any court after hearing the State Government or on the basis of information, report or record that may be available from any court or any officer or any authority of the Central Government or the State Government or any local authority or local body or on the basis of information collected through local enquiry, whichever is higher.(6)If the land use of a particular land at the time of preparation of annual statement of market value of such land, has been changed from the previous land use, the rate of such land after appreciation or depreciation, as the case may be, shall be determined on the basis of such conversion ratio as may be decided by the Registering Officer with the approval of the District Registrar.(7)If at the time of preparation of annual statement of market value of the land of a particular area which has since been changed to a developing area from an underdeveloped area, the rates of land within such area shall be appreciated at the rate to be determined by the Registering Officer with the approval of the District Registrar.(8)If at the time of preparation of annual statement of market value of land occupied by a bargadar and recorded as such in the land records, the rates of such land shall be depreciated at the rate to be determined by the Registering Officer with the approval of the District Registrar subject to the condition that such land has not been transferred in favour of such bargadar.(9)If land in Panchayat area is adjacent to metal road, the market value of such land shall be appreciated at the rate to be determined by the Registering Officer with the approval of the District Registrar.(10)In case of land is situated in any municipal area, the municipal corporation area, the Kolkata Municipal Corporation area. the Howrah Municipal Corporation area or any notified authority area or an area in Development authority, the width of the approach road of a land shall be taken into consideration for appreciation/depreciation of the market value of such land at the rate to be determined by the Registering Officer with the approval of the District Registrar.(11)For the purpose of preparation of the annual statement of rates of land with buildings referred to in clause (b) of sub-rule (1), the rate of the land shall be determined in accordance with the guidelines mentioned in sub-rule (2) to

sub-rule (10) and the basic rate per sq.ft. of the buildings shall be determined by the Registering Officer, in consultation with the appropriate District Registrar, on the basis of the norms of the Public Works Department for the cost of construction of the building prevailing in the concerned area taking into consideration the type of construction, locality in which it is constructed, kind of materials used for wall and roof, and any other feature that have a bearing on the market value.(12)For the purpose of preparation of the annual statement of rates of flat or any other structure referred to in clause (c) of sub-rule (1), the flats or other structures may be classified in residential, semi-commercial or commercial after taking into account the use of flats or other structure.(13)The rate per sq.ft. of market value of any flat or structure for residential use shall be determined on the basis of the highest rate on which such flat or structure of similar nature in the same locality or a comparable locality has been transacted during the five consecutive years immediately preceding the year of preparation of annual statement of rate of such flat or structure. The year-wise appreciation from the year of previous transaction to the year of preparation of the annual statement of rates per sq.ft. of the flats or structures shall be taken into consideration for the purpose of preparation of the annual statement of rates of the flat or structure.(14)The rate per sq.ft. of market value of any flat or structure for commercial use or semi-commercial use shall be determined by appreciating the rate per sq.ft. of market value of flat or structure for residential use in the same locality in accordance with the provisions of sub-rule (13) at such rate as may be decided by the Registering Officer in consultation with the appropriate District Registrar.(15)The rate per sq.ft. of market value of car parking space of any flat or structure for residential use shall be determined by depreciating the rate per sq.ft. of market value of such flat or structure in accordance with the provisions of sub-rule (13) at such rate as may be decided by the Registering Officer in consultation with the appropriate District Registrar.(16)The rate per sq.ft. of market value of the second floor or onwards of any flat or structure for residential use shall be determined by appreciating the rate per sq.ft. of market value of flat or structure for residential use in accordance with the provisions of sub-rule (13) at such rate as may be decided by the Registering Officer in consultation with the appropriate District Registrar.(17)The rate per sq.ft. of market value of the flat or any structure with mosaic flooring or marble flooring or with other amenities like lift facility or facilities for roof garden, swimming pool, club, gymnasium etc. of the residential, semi-commercial or commercial flats or other structures shall be determined by appreciating the rate per sq.ft. of the flat or the structure at such rate as may be decided by the Registering Officer in consultation with the appropriate District Registrar.(18)The rate per sq.ft. of market value of the residential, semi-commercial or commercial flats or other structures situated in a special project, shall be determined separately by the Registering Officer in consultation with the appropriate District Registrar considering all the amenities provided in such special project.

### **3C.**

Principles for determination of the market value of immovable property.(1)In determining the market value of a land in any locality, the quantum of land to be transferred shall be multiplied with the rate of per decimal of market value of land in that locality as determined in accordance with the provisions of rule 3B.(2)In determining the market value of a flat, the flat shall be considered to be completed even if the registering public claims that the flat is incomplete at the time of registration. The super built-up area in sq.ft. to be transferred shall be multiplied with the rate per sq.ft. of

market value of a flat for residential, commercial or semi-commercial use as determined in accordance with the provisions of rule 3B.(3)In determining the market value of land with building or structure, the quantum of land to be transferred shall be multiplied with the rate of per decimal of market value of land in that locality as determined in accordance with the provisions of rule 3B and the total area of building or structure to be transferred shall be multiplied with the rate of per sq.ft. of market value of building or structure as determined in accordance with the provisions of rule 3B. The market value of land and the market value of the building or structure shall be determined separately hereinabove and both the value shall be taken together.(4)In determining the market value of a roof right in respect of any land with building or any flat for residential use, the principles shall be-(a)in case of land with building, the market value of the proportionate share of quantum of land on which such roof right is claimed plus such per centum of the cost of construction of the building as may be decided by the Registering Officer in consultation with the appropriate District Registrar;(b)in case of any flat for residential use, such per centum of the rate per sq.ft. of market value of the flat for residential use as may be decided by the Registering Officer in consultation with the appropriate District Registrar.(5)In determining the market value of an old building or structure in respect of any land with old building or structure in a particular area, the quantum of land to be transferred shall be multiplied with the rate of per decimal of market value of land in that locality as determined in accordance with the provisions of rule 3B and the market value of such old building or structure shall be depreciated at such rate considering the age of the old building or structure as may be determined by the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, in consultation with the appropriate District Registrar and communicated to all the registering officers.(6)In determining the market value of an old flat for residential, commercial or semi-commercial use in a particular area, the market value of such flat in that area as may be determined in accordance with the provisions of rule 3B shall be depreciated at such rate considering the age of the old building or structure as may be determined by the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, in consultation with the appropriate District Registrar and communicated to all the registering officers.(7)In determining the market value of larger plot in any area in West Bengal, the depreciation in the land value may be allowed considering the quantum of land at such rate as may be determined by the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, in consultation with the appropriate District Registrar and communicated to all the registering officers.

### **3D. Revision of annual statement of rates of immovable property.**

(1)The annual statement of rates of immovable property as referred to in rule 3B shall be revised annually by the Registering Officer in consultation with the appropriate District Registrar and the same shall be communicated to the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal for updating the CORD software.(2)The Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, may order for special revision of the annual statement of rates of immovable property in any specified area under the following circumstances resulting in appreciation and/or depreciation of market value of land, namely:-(a)setting up of an industry or group of industries of infrastructure project;(b)development of large scale housing project;(c)natural calamity;(d)any other special circumstances as affects or is likely to affect the annual statement of market value of immovable property.

### **3E. Forms for obtaining information regarding immovable property.**

(1) Every registering officer shall obtain information in respect of any immovable property from the person in the appropriate form mentioned in Appendix V of the West Bengal Registration Rules. (2) Every registering officer may call for production of any document for the purpose of verifying whether all the facts and circumstances for determination of market value of the property which is the subject matter of the instrument has been truly set forth as mentioned in section 27 of the Act.]

### **4. Reference to be made to the Collector for determination of market value of property.**

(1) If the person by whom the stamp duty is payable under section 29 does not within the period specified in the notice referred to in sub-rule (8) of rule 3, offer to pay the deficit amount of stamp duty to make up the amount with which the instrument referred to in sub-rule (2) of rule 3, would, in the opinion of the registering officer, have been chargeable, the registering officer shall make a reference under sub-section (3) of section 47A to the Collector for determination of the market value of the property which is the subject-matter of such instrument, and the proper amount of duty payable thereon, and the registering officer shall record the particulars of such reference in a register as maintained in Form VI. (2) The registering officer shall, while making a reference under sub-rule (1), furnish to the Collector one copy of the statement in Form I, Form II, Form III or Form IV, as the case may be, together with the order referred to in sub-rule (8) of rule 3, and the extracts of report or record on the basis of which order referred to in sub-rule (8) of rule 3 has been made. (3) If the person, by whom stamp duty is payable under section 29 before receipt of any communication from the Collector intimating to him the market value of the property which is the subject-matter of the instrument referred to in sub-rule (2) of rule 3, and the proper stamp duty payable thereon as determined by the Collector, makes payment of the deficit amount of stamp duty as ascertained by the registering officer in the same manner as referred to in sub-rule (9) of rule 3, such registering officer shall accept such payment and register the instrument. The reference made under sub-rule (1) of rule 4 in respect of such instrument, shall be deemed to have been withdrawn. The registering officer shall intimate such registration to the Collector in Form VIIA. (4) The provision of sub-rule (3) shall apply, mutatis mutandis, in respect of any instrument referred to in sub-section (4) of section 47A: Provided that the registering officer of such instrument shall intimate the withdrawal of reference under sub-rule (3) of rule 4 in Form VIIB. [Proviso further that the provisions of this rule shall not apply in case the instruments are registered through the system of CORD software.] [Second proviso added by Clause (3) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010.]

### **5. Determination of the market value of the property by the Collector on reference.**

(1) On receipt of a reference from the registering officer under sub-rule (1) of rule 4, the Collector shall issue a notice in Form VIII, within thirty days from the date of receipt-(a) to every person by



whom, and (b) to every person in whose favour the instrument has been executed, and inform him the receipt of reference and ask him to submit to him his objections, if any, in writing to support that the market value of the property has been truly and fully set forth by him in his instrument. (2) If the Collector, on receipt of any information or suo moto, within five years from the date of registration of any instrument referred to in sub-rule (2) of rule 3, has reason to believe that the market value of the property which is the subject-matter of such instrument has not been truly set forth in the instrument or correctly ascertained under sub-section (2) of section 47A, he shall issue notice referred to in sub-rule (1) to the person mentioned therein and inform him of the reasons which led him to believe that the market value of the property has not been truly set forth, or correctly ascertained under sub-section (2) of section 47A, as the case may be, and ask him to submit his objection, if any, in writing to support that the market value has been truly set forth in the instrument, or correctly ascertained under sub-section (2) of section 47A. (3) The Collector may, if he thinks fit for the purpose of enquiry, - (a) call for any information, report or record from any public officer or authority under the Central Government, or the State Government, or any local authority, or local body, or any person who has, in his opinion, knowledge with respect to valuation of property; (b) examine any information, report, or record referred to in clause (a); (c) examine the order of the registering officer referred to in sub-rule (8) of rule 3; (d) inspect the property which is the subject-matter of such instrument. (4) After hearing the person to whom a notice has been issued under sub-rule (1) or sub-rule (2), considering the objections, if any, and examining the information, report, or record along with the written order of the registering officer, the Collector shall pass an order in writing, determining the market value of such property, and the proper stamp duty payable on the instrument relating to such property. (5) A notice in Form IX with a copy of the order referred to in sub-rule (4) shall be issued by the Collector to the person by whom the stamp duty is payable under section 29, or his authorised agent intimating him the market value as determined by the Collector under that sub-rule, and directing such person to pay the deficit stamp duty, within such time, ordinarily not before fifteen days from the date of issue of the notice, as may be specified in such notice, in such manner as referred to in sub-rule (9) of rule 3: Provided that the Collector, may, upon application from any person by whom the stamp duty is payable under section 29 or his authorised agent, extend the date specified in the notice for reasons to be recorded in writing. (6) A copy of the order referred to in sub-rule (4), shall be sent to the concerned registering officer who made the reference under sub-rule (1) of rule 4, or who registered the instrument, as the case may be, and the appropriate District Registrar. (7) On receipt of the notice from the Collector as referred to in sub-rule (5), the person to whom the notice has been issued or his authorised agent, shall deposit the deficit amount of stamp duty within the date specified in the notice in the same manner as referred to in sub-rule (9) of rule 3. If the person liable to pay stamp duty under section 29 of the Indian Stamp Act, 1899, does not make such payment within the date aforesaid, he shall be liable to pay an interest at the rate of two per centum for each British Calendar month of default from the first day of such month following the month in which such person was required to make payment of deficit duty as prescribed in the aforesaid notice up to the month preceding the month of full payment of such duty. (8) The person by whom the stamp duty is payable under section 29 or his authorised agent, shall furnish the original copy of receipted challan, or the bank draft, as proof of payment of the deficit amount of stamp duty together with interest, if any, as referred to in sub-rule (7) to the registering officer and thereupon, the registering officer shall, within fifteen days from date of receipt of the challan or bank draft, certify by recording in such instrument that proper

stamp duty has been paid and register the document, if not already registered.(9)Where the Collector, upon hearing under sub-rule (4), finds that the market value of property as set forth in the instrument is correct and the proper stamp duty has been paid thereon, he shall, within fifteen days from the date of order that he passed in connection with determination of such market value direct, the registering officer to certify by recording in the instrument that the proper stamp duty has been paid and send a copy of such order to the person by whom the stamp duty is payable under section 29.(10)On receipt of the copy of the order referred to in sub-rule (9) from the Collector, the registering officer shall, within ten days from the receipt of such order, certify by recording in the instrument that in terms of the order of the Collector, proper stamp duty has been paid and register the document, if not already registered.[Provided that the provisions of sub-rule (1) to sub-rule (10) of this rule shall not be applicable in case an instrument is registered through the system of Computerization of Registration of Documents (CORD) software.] [Proviso added by clause (4) of the Notification No. 1614-F T., dated 5.10.2010, w.e.f. 5.10.2010.][5A. Inspection by the Collector after registration of the document through system of CORD software. - (1) The Collector on receipt of any information or after random checking of deeds selected through the CORD system or suo mote within five years from the date of registration of any instrument registered in CORD software system, has reason to believe that the market value of the property which is the subject matter of such instrument has not been truly generated from the CORD software, due to non-furnishing of particulars as required under rule 3E of these rules or for any other reason, he shall, in person,- [Rule 5A Inserted by clause (5), ibid, w.e.f. 5.10.2010.](a)inspect the property:(b)call for and examine any such instrument and any other document relating thereto,for the purpose of satisfying himself as to the correctness of market value of the property which was the subject-matter of such instrument.(2)The Collector may, if he thinks fit for the purpose of enquiry, ask the person executing such instrument or the person in whose favour the document has been executed to submit his objections, if any, in writing to support that the market value has been duly ascertained through the system of CORD software.(3)After hearing the person, considering the objections, if any and examining the information, report or record, the Collector shall pass an order. in writing, determining the market value of such property and the proper stamp duty payable on the instrument relating to such property.(4)A notice in this respect with the copy of the order referred above shall be issued by the Collector to the person by whom the stamp duty is payable under section 29 of the Act or his authorized agent intimating him the market value determined by the Collector and directing such person to pay the deficit stamp duty, if any, within such time ordinarily not before 15 days from the date of issue of the notice, or within such date as extended by the Collector, upon application of such person.(5)A copy of such order shall be sent to the concerned registering officer who registered such instrument.(6)On receipt of such notice issued by the Collector, the person or his authorised agent shall deposit the deficit amount of stamp duty within the date specified in the notice either by bank drafts drawn on any agency bank in favour of the concerned registering officer or by appropriate challan to the Government treasury on appropriate head of account or by Serialised Authenticated bank Receipt (SABR) and if such person does not make such payment within the date aforesaid, he shall be liable to pay an interest at the rate two per centum for each British Calendar month of default from the first day of such month following the month in which such person was required to make payment of deficit duty as specified in this rule upto the month preceding the month of full payment of such duty,(7)On production of the original copy of the receipted challan or bank draft or Serialised Authenticated bank Receipt (SABR), as

proof of payment of deficit stamp duty and interest, if any, registering officer shall certify by recording in such instrument that the deficit stamp duty alongwith interest, if any, on the market value determined by the Collector has been paid.]

## **6. Appearance through advocate or authorised agent.**

-in an enquiry under the foregoing provisions of these rules, any party to an instrument may appear either in person or through an advocate or an authorised agent.

## **7. Appeal.**

(1)Any person aggrieved by an order passed by the Collector under sub-rule (4) of rule (5) [or rule 5A] [Inserted by clause (6)(a)(i) of the Notification No. 1614-F.T., dated 5.10.2010.], or under sub-section (8) of section 47A, determining the market value of any property and the proper stamp duty payable on the instrument relating to such property, may, within sixty days from the date of receipt of the notice issued under sub-rule (5) of rule 5, [or sub-rule (4) of rule 5A] [Inserted by clause (6)(a)(ii), ibid, w.e.f. 5.10.2010.], or such further period as may be allowed by the appellate authority, prefer an appeal in Form X to the appellate authority referred to in sub-section (1) of section 47B.(2)Commissioner of the respective Division shall be the appellate authority as referred to in sub-section (1) of section 47B.(3)The appeal shall be made in a plain paper and shall contain the following particulars, namely:-(a)full name, father's name or husband's name, occupation, and postal address of the applicant;(b)full name, father's name or husband's name, occupation, and postal address of every person executing [the instruments] [Substituted by Clause (6)(b) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010, for 'the instruments referred to in sub-rule (2) of rule 3'.];(c)full name and postal address of the person by whom the stamp duty is payable under section 29;(d)date and nature of such instrument;(e)serial number, registration number, if any, and the name of office where such instrument was presented for registration;(f)number and date of the order appealed against;(g)market value of the property as set forth in such instrument;(h)market value of the property as determined by the Collector,(4)At the foot of the memorandum of appeal the following verification shall be endorsed and signed by the appellant, namely :-I ..... the appellant do hereby declare that what is stated herein is true to the best of my knowledge and belief. Verified today the ..... day of .....(Month).....(year).....Signature of appellant/authorised agent Status .....".(5)Every appeal shall be accompanied by-(a)a certified copy of the order appealed against;(b)a certified copy of the instrument; and(c)a memorandum of appeal.(6)Every appeal shall be presented in person or by an authorised advocate or by an authorised agent, or shall be sent by registered post to the appellate authority having jurisdiction which shall endorse the date of receipt.

## **8. Procedure for the disposal of appeals.**

(1)If the appellate authority admits the appeal, it shall fix a date of hearing the appellant. The appellate authority shall issue a notice to the appellant informing him of the date on which and the time and place at which, the appeal shall be heard. Such notice shall also state that if the appellant

does not appear on the date so fixed, or any other day to which the hearing may be adjourned, the appeal shall be liable to be dismissed for default, or disposed of on merit ex parte.(2)The appellate authority shall send a copy of the notice to the Collector together with a copy of the appeal, and call for, and obtain records of the case from such Collector.

## **9. Hearing of appeal.**

(1)On the date fixed for hearing, or on any other date to which the case may be adjourned, the appellate authority shall hear the appellant and record any evidence that may be adduced on his behalf. It shall also hear the person, if any, appearing on behalf of the Collector and record evidence, if any, adduced in support of the order of such Collector. (2) Pending the final decision of an appeal, the direction of the Collector for payment of the deficit amount of stamp duty may be stayed, if so directed by the appellate authority, on such terms and conditions, as may be specified in the stay order.

## **10. Order of appeal.**

(1)After considering all the evidences adduced and representations made on behalf of the appellant and the Collector, and after examining the records or the case, the appellate authority shall decide whether or not the market value of the property as determined in the order of the Collector under sub-section (5) or sub-section (8) of section 47A is correct. In case the appellate authority does not accept the market value of the property as determined by the Collector, it shall determine the market value of the property and the proper duty payable on the instrument. The appellate authority shall embody its decision and the reasons therefor in its order, and communicate it to the appellant, the Collector, and the registering officer concerned.(2)On receipt of the order referred to in sub-rule (1) from the appellate authority, the person by whom the stamp duty is payable under section 29, or his authorised agent, shall deposit the deficit amount of stamp duty as modified by the appellate authority together with the interest on the modified amount, if any, as referred to in [sub-rule (7) of rule 5 or rule 5A] [Substituted by clause (7)(a)(i) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010, for 'sub-rule (7) of rule 5'.] in the same manner as referred to in [sub-rule (9) of rule 3 or rule 5A] [Substituted by clause (7)(a)(ii), ibid, w.e.f. 5.10.2010, for 'sub-rule (9) of rule 3'.]Provided that the period from the date of admission of the appeal by the appellate authority to the date of receipt of the order of the appellate authority by the person who is liable to pay stamp duty under section 29, shall be excluded for the purpose of computing the interest payable under sub-section (3) of section 47B.(3)The person by whom stamp duty is payable under section 29, or his authorised agent, shall deposit the deficit amount of stamp duty together with interest, if any, in the same manner as referred to in [sub-rule (9) of rule 3 or rule 5A] [Substituted by clause (7)(b), ibid, w.e.f. 5.10.2010, for 'sub-rule (9) of rule 3] and furnish the original copy of the receipted challan, or the bank draft, as proof of payment of the same to the concerned registering officer and thereupon, the registering officer shall, within fifteen days from the date of receipt of the challan or bank draft, as the case may be, certify by recording in such instrument that proper stamp duty has been paid and register the instrument

## 11. Suo mote revision by the Chief Controlling Revenue Authority.

(1) Where the Chief Controlling Revenue Authority, on his own motion proposes to examine the order passed by the Collector under section 47A, or by the Appellate Authority under section 47B, for the purpose of satisfying himself as to the correctness of the market value of the property which is the subject matter of the instrument and the proper duty payable thereon, he shall hold an inquiry for the purpose of forming his opinion as to whether such order is required to be revised under section 47C. (2) After his decision to proceed in the matter on his own, the Chief Controlling Revenue Authority shall issue a notice in Form XI fixing the date of hearing, not before fifteen days from the date of issue of such notice to every person by whom and to every person in whose favour [the instrument] [Substituted by clause (8)(a) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010. for the instrument referred to in sub-rule (2) of rule 3] has been executed, where such person is likely to be affected adversely, directing such person to appear before him and to show cause on the date and at the time and place specified in such notice as to why the order referred to in sub-rule (1) shall not be revised. (3) The Chief Controlling Revenue Authority may, if he thinks fit, for the purpose of inquiry, (a) call for the order of the appellate authority, if any, along with case records, order of the Collector, if any, along with the case records, assessment report made by the registering officer, and any other information, report, or record from any public officer or authority under the Central Government or the State Government or any local authority or local body or any person who has, in his opinion, knowledge with respect to valuation of property; (b) examine any order, assessment report, information, report or record referred to in clause (a). (4) On the date fixed for hearing or any other date to which the case may be adjourned, the Chief Controlling Revenue Authority shall hear the persons and record any evidence that may be adduced. He shall also hear the person(s), if any, appearing on behalf of the appellate authority and/or the Collector, and record the evidence if any, adduced in support of the order or such appellate authority, or the Collector, as the case may be. (5) After considering all the evidences adduced and representations, if any, made on behalf of the concerned persons, concerned appellate authority or concerned Collector, and examining the records of the case, the Chief Controlling Revenue Authority shall decide whether or not the market value of the property as determined in the order of the appellate authority or in the order of the Collector or any order passed by them, as the case may be, is required to be revised. (6) In case the Chief Controlling Revenue Authority does not accept the market value of the property as modified by the appellate authority under sub-rule (1) of rule 10 or as determined by the Collector under [sub-rule (4) of rule 5 or rule 5A] [Substituted by clause (8)(c), ibid, w.e.f. 5.10.2010, for 'sub-rule (4) of rule 5'.], or under sub-section (8) of section 47A, as the case may be, or any other order passed by the Collector or appellate authority, he shall revise, the order of the appellate authority or the Collector, as the case may be. The Chief Controlling Revenue Authority shall embody its decision and the reasons therefor in its order and communicate in writing to the person who is liable to pay stamp duty under section 29 and to the concerned appellate authority or the Collector, as the case may be. A copy of the order shall also be sent to the registering officer concerned. (7) If on the basis of order made by the Chief Controlling Revenue Authority under sub-rule (6), it appears that further stamp duty is payable to make up the proper amount of stamp duty as mentioned in the order, he shall issue notice in Form XII to the person by whom stamp duty is payable under section 29 directing him to pay the deficit stamp duty together with an interest at the rate of two per centum for each British Calendar month of default from the first day of such

month following the month in which such deficit stamp duty is payable as ordered by the Chief Controlling Revenue Authority up to the month preceding the month of full payment of such duty.(8)On receipt of a notice referred to in sub-rule (7), the person, who is liable to pay stamp duty under section 29 or his authorised agent, shall deposit the deficit amount of stamp duty together with an interest as referred to in sub-rule (7) into a Government Treasury or pay such amount by a bank draft drawn on any agency bank in favour of the concerned registering officer in the same manner as referred to in [sub-rule (9) of rule 3 or rule 5A] [Substituted by Clause (8)(c) of the Notification No. 1614-F.T dated 5.10.2010, w.e.f. 5.10.2010, for 'sub-rule (9) of rule 3].(9)The person by whom the stamp duty is payable under section 29 or his authorised agent, shall furnish the original copy of the receipted challan, or the bank draft, as proof of payment of the deficit amount of stamp duty and interest, if any, and also the original instrument to the concerned registering officer and thereupon, the registering officer shall, within fifteen days from the date of receipt of the challan or bank draft, as the case may be, and the original instrument, certify by recording in such instrument the proper stamp duty and interest, if any, as ordered by the revisional authority under sub-rule (6) has been paid. Such certificate shall be copied in the appropriate register book where the instrument has been registered and shall be authenticated by the concerned registering officer and the instrument shall be returned to the person who furnished the same.(10)If the market value of the property as revised by the Chief Controlling Revenue Authority under sub-rule (6) is less than the amount for which stamp duty has been paid [under sub-rule (7) of rule 5 or rule 5A] [Substituted by clause (8)(d), ibid, w.e.f. 5.10.2010, for 'under sub-rule (7) of rule 5'.] or under sub-rule (2) of rule 10, as the case may be, the Chief Controlling Revenue Authority shall order refund of the excess stamp duty so paid together with interest paid on such excess amount, if any, and mark copies of such order to the concerned registering officer and Treasury Officer concerned. The concerned registering officer shall prepare and endorse the bill and arrange for the refund of excess amount of stamp duty and interest, if any paid, within ninety days from the date on which the order of the Chief Controlling Revenue Authority is passed.(11)No order shall be revised by the Chief Controlling Revenue Authority on his own motion under sub-rule (1),-(a)if the time for presenting an appeal against an order determining the market value by the Collector has not expired, or(b)if such order has been passed five years before the date of revision:Provided that in computing the time limit specified in clause (b) for revising any order under section 47C, the period of time during which the revisional authority is restrained by an order of the Court from -(i)commencing or continuing any proceeding for such revision,(ii)commencing or continuing any investigation, enquiry, or examination of documents, or evidence required to be made in connection with such revision, shall be executed.

## **12. Return of records.**

- The appellate authority, as soon as possible after the order is passed, shall return the records of the Collector to him.

## **13. Rules of appeal procedure.**

(1)The appellate authority may adjourn the hearing of the appeal from time to time, as it thinks fit.(2)The appellate authority may, at any stage, call for any information, report. record or other

evidence from the appellant, the Collector or the registering officer.(3)The appellant may appear either in person or through an authorised advocate or authorised agent before the appellate authority in connection with the hearing of his appeal under rule 7.(4)In respect of matters not provided for in these rules, the provisions of the Code of Civil Procedure, 1908 (5 of 1908), relating to the procedure to be followed by the appellate authority in appeals against the orders of the Civil Court shall, as far as may be, apply to appeals under section 47B,

#### **14. Manner of service of notice and orders to the parties.**

- Any notice under these rules shall be served in the following manner, namely,-(1)in the case of any company, society or association of individuals, whether incorporated or not,-(a)on the secretary or any director or other principal officer of the company, society or association of individuals, as the case may be, or(b)by sending it by registered post with acknowledgement due addressed to the company, society or association of individuals, as the case may be. at the registered office, or if there is no registered office, at the place where the company, society or association of individuals, as the case may be, carries on business;(2)in the case of any firm,-(a)upon any one or more of the partners; or(b)at the principal place at which the partnership business is carried on, upon any person having control or management of the partnership business at the time of service;(3)in the case of a family, upon the person in management of such family or of the property of such family, in the manner specified in sub-rule (4);(4)in the case of an individual.- (a)by delivering or tendering the notice or order to the individual concerned or his advocate or authorised agent, or(b)by delivering or tendering the notice or order to some adult member of the family of that individual, or(c)by sending the notice or orders to the person concerned by registered post with acknowledgement due;(5)if none of the aforesaid modes of service is practicable, by affixing the notice or order in some conspicuous part of the last known place of residence or business of the person concerned.

#### **15. Manner of maintenance of register for treasury challan and bank drafts.**

- Every registering officer shall maintain a register in Form XIII. On receipt of a bank draft or receipted treasury challan as proof of payment of deficit stamp duty and interest, if any, referred to in sub-rule (11) of rule 3 or in sub-rule (3) of rule 4 or in sub-rule (8) of rule 5 or in sub-rule (3) of rule 10 or in sub-rule (9) of rule 11, the registering officer shall record the particulars of such bank draft of treasury challan, as the case may be, in the appropriate columns of the register as aforesaid. In case the payment is made by a bank draft, the registering officer shall deposit it into the Government Treasury under the appropriate challan on behalf of the person who furnishes such bank draft. and shall enter in the appropriate columns of the register as aforesaid, the particulars of the treasury challan.

#### **16. Maintenance of records for inspection and audit.**

(1)The registers in the prescribed forms referred to in these rules and the documents related thereto shall be preserved for a period of not less than twelve years after the expiry of the period to which they relate.(2)The registers and documents pertaining to registration of any instruments, determination of market value of any property which is the subject-matter of any instrument already

registered or presented for registration and receipt of stamp duty shall be open to inspection by such officer as the State Government may appoint in this behalf for the purpose of periodical audit, or in connection with enquiry with respect to allegations of corruption's or misconduct against any Government employee.(3)[ The documents and all other related registers pertaining to registration of any instrument through CORD software, shall be preserved in CD or in any electronic device.] [Sub-rule (3). ins by clause (9) of the Notification No. 1614-F.T., dated 5.10.2010, w.e.f. 5.10.2010.]

## 17. Savings.

- Notwithstanding anything contained in these Rules, anything done or any action taken (including any order made, proceeding commenced or obligation or liability incurred) under the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 1994 prior to the commencement of these Rules shall be valid and effective and any proceedings before the commencement of these Rules shall be commenced or continued or enforced by the authorities prescribed by or under the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 1994 so to do, as if the provisions of these Rules have not come into force. Form I[See sub-rule (2) of rule 3](To be submitted along with the instrument)Description of the Property(In the case of land with building in urban areas)

1. Locational  
details—(a)  
House or plot or  
holding No.(b)  
Name of the  
land or road or  
street(c) Ward  
No.(d) PIN Code .....  
No.(e)  
Police Station.(f)  
District(g) Dag  
No.(h) Khatian  
No.(i) Mouza(j) J  
L. No.

2. Name of the  
Municipal  
Corporation or  
Municipality .....  
or Notified Area  
or Cantonment  
Area

3. Total .....  
land—(a) in  
cottahs(b) in



square metres

4. Area of vacant

land—(a) in

cottahs(b) in

square metres

5. Built-up

Area—(a) in

cottahs(b) in

square metres or

in square feet

6. (a) No. of

floors in

the building(b)

Carpet area in

each floor(in

square metres or

in square feet)

7. Type of

construction of

the building

[Please tick ( v)

against each

item which is

applicable](a)

Construction-(i) : ( ) ( ) ( ) ( ) ( )

pucca(ii)

semi-pucca(iii) kutchha(iv)

others (please

specify)

(b) Floor-(i)

kutchha(ii)

cement(iii)

mosaic(iv)

marble(v) others

(please specify)

(c) Walls(i)

kutchha(ii)

cement

plaster(iii)

lime-washed(iv) plastic

painted(v)

others (please

specify)

(d) Roof-(i)  
thatched(ii)  
tile-shed(iii)  
tin-shed(iv)pucca(v)  
others (please  
specify)

8. Brief  
description of  
the nature of  
sanitary or .....  
electricalor  
other fittings on  
the building/flat

9. Year of  
construction of .....  
the building/flat

10. Renovation  
of the building  
or flat made. if  
any—(a) year of .....  
renovation(b)  
details of  
addition  
or alteration

11. Other  
facilities  
available within 1  
kilometre

[Please tick ( V )]

(Not to be filled  
in for Calcutta

Municipal  
Corporation  
Area)—(a) ( ) ( ) ( ) ( ) ( ) ( )

railway  
station(b) bus  
stop(c) market  
place(d) city  
centre(e)  
school(f)  
college(g)  
hospital

: .....: .....: .....

12. Approximate  
distance from  
the main  
road—(a) width  
of the nearest  
pucca or main  
road (in  
metres)(b) distance  
from this pucca  
or main road (in  
metres)(c) width  
of the approach  
road, if different  
from (a) above  
(in metres)

13. Purpose for  
which the  
building or flat is  
being  
used [Please tick  
( ) the ( ) ( ) ( )  
relevant column]—(a)  
residential (b)  
commercial (c)  
industrial (d) other  
(please specify)

14. Property tax  
paid with  
reference to tax  
records of  
the local  
authority  
concerned

15. Market value : .....  
set forth in  
the instrument—(a)  
market value per  
square metre of  
built-up  
area (b) market  
value per cottah  
or per square  
metre of vacant

land(c)total  
market value

16. Remarks, if  
any : .....

17.  
Transferor—(a)  
name(b) full : .....  
address

18.  
Transferee—(a)  
name(b) full : .....  
address

19. Deed  
writer—(a)  
name(b) licence : .....  
No.

20. Advocate, if  
any—(a) : .....  
name(b) address

The above statement is true to the best of my knowledge and belief. I undertake to indemnify the Government for any loss of revenue due to misstatement or suppression of facts hereinabove. Place Date Signature of the person executing the instrument for registration. Form II[See sub-rule (2) of rule 3](To be submitted along with the instrument)Description of the Property(In the case of land with building in rural areas)

1. Locational  
details—(a) Dag  
No.(b) Khatian  
No.(c) J. L.  
No.(d)Mouza(e)  
Police Station(f) : .....  
District(g) PIN  
CodeNo.(h)  
Holding or House  
No., if any(i)  
Name of lane  
orroad, if any

2 Total land—(a)  
in cottahs(b) in : .....  
square metres

3. Area of vacant  
land—(a) in : .....  
cottahs(b) in  
square metres

4. Built-up  
area—(a) in  
cottahs(b) in : .....  
square metres or  
in square feet

5. Existing nature  
of the land[Please  
tick ( )]—(a) high  
land(b) low (.) (.) (.) (.) (.)  
lying(c) dry(d)  
wet(e) others  
(please specify)

6. (a) Distance  
from approach  
road (in  
metres)(b) Width : .....  
of approach road  
(in metres) -

7. Distance from  
the—(a) nearest  
railway station(b)  
bus stop(c)  
marketplace(d) : .....  
block office(e)  
bank(f)  
school(g) college(h)  
hospital

8, Type of  
construction of  
the house [Please  
tick ( )]—(a)  
Construction(i) ( ) ( ) ( ) ( ) ( )  
mud-built(ii)  
semi-pucca(iii) pucca(iv)  
others (please  
specify)  
(b) Floor(i)  
kutcha(ii)  
cement(iii) ( ) ( ) ( ) ( )  
mosaic(iv) marble(v)  
others (please  
specify)  
( ) ( ) ( ) ( )

(c) Walls(i)  
kutch(ii) cement  
plaster(iii)lime-washed(iv)  
plastic-painted(v)  
others  
(pleasespecify)

(d) Roof(i)  
thatched(ii)  
tile-shed(iii)tin-shed(iv) ( ) ( )  
pucca(v) others  
(please specify)

9. Present  
condition of the  
house[Please tick  
( )](a) new(b)  
more than 3 years  
old(c) more than 5 ( ) ( ) ( ) ( ) ( )  
yearsold(d) more  
than 10 years  
old(e)  
dilapidated(f)  
withtenant(g)  
without tenant

10. Actual year of  
construction of : .....  
the house

11. (a) Plinth area  
of the house (in  
square metres)(b)  
No.of floors in the : .....:  
house and carpet  
area in each floor  
(in squaremetres)

12. Market value  
set forth in  
theinstrument—(a)  
market value per  
square metre of : .....:  
built-up  
area(b)market  
value per cottah of  
vacant land(c)  
total market value

13. Remarks, if  
any : .....

14.  
Transferor—(a)  
name(b) full : .....  
address

15.  
Transferee—(a)  
name(b) full : .....  
address

16. Deed  
Writer—(a)  
name(b) licence : .....  
No.

17. Advocate, if  
any—(a) name(b) : .....  
full address

The above statement is true to the best of my knowledge and belief. I undertake to indemnify the Government for any loss of revenue due to misstatement or suppression of facts hereinabove. Place.....[Counter Signature of the Deed Writer/ Advocate]Signature of the person executing the instrument for registration. Date.....Form III[See sub-rule (2) of rule 3](To be submitted along with the instrument)Description of the Property(In the case of land in urban areas)

1. Locational  
details—

(a) Dag No(b)  
Khatian No.(c)  
Mouza(d) J. L.  
No.(e)Holding

No.(f) Name of lane : .....  
or road or street(g)

WardNo.(h) PIN  
Code No.(i) Police  
Station(j) District

2. Name of the  
Municipal  
Corporation or : .....  
Municipality  
orNotified Area or  
Cantonment Area

3. Total area of the  
land—

(a) in cottahs(b) in : .....

square metres

4. Existing nature of the land [Please tick (-Ni) the relevant brackets]—  
 (a) high land (b) low lying (c) dry (d) wet (e) others (please specify) ☐ ☐ ☐ ☐ ☐

5. Facilities available within (Not to be filled in for Calcutta Municipal Corporation Area)—

(a) railway station	(b) bus stop	(c) market place	(d) city centre	(e) school	(f) college
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No

6. Distance from the main road—

(a) width of the  
nearest pucca/main  
road (in  
metres)(b)distance  
from this

pucca/main road : .....  
(in metres)(c) width  
of the approach  
road, if different  
from (a) above (in  
metres)

7. Other locational factors that may be relevant to the valuation of the land—

	Yes/No	Yes/No	Yes/No	Yes/No
(a) whether in unauthorised occupation of others				
(b)				



whether there is a  
tenant(c) whether  
there is a  
squatter(d) whether  
being used by local  
people for long for  
recreational

8. Market value set  
forth in the  
instrument—

(a) market value per  
cotta(h) market  
value per : .....  
square metre(c)  
total market value

9. Remarks, if any,  
affecting market : .....  
value

10. Transferor—

(a) name(b) full  
address : .....

11. Transferee—

(a) name(b) full  
address : .....

12. Deed Writer—

(a) name(b) licence  
No. : .....

13. Advocate, if  
any—

(a) name(b) address : .....

The above statement is true to the best of my knowledge and belief. I undertake to indemnify the Government for any loss of revenue due to misstatement or suppression of facts hereinabove. Place Date Signature of the person executing the instrument for registration Form IV [See sub-rule (2) of rule 3] (To be submitted along with the instrument) Description of the Property (In the case of land in rural areas)

1. Locational  
details—

(a) Dag No.(b) : .....  
Khatian No.(c)  
Mouza(d) J.

L.No.(e) Police  
Station(f)  
District(g) Pin  
Code No.

2. Existing  
nature of land—

[Please tick (l)  
the relevant  
item]

(a) homestead(b)  
agricultural(c)

high land(d)      ( ) ( ) ( ) ( ) ( )

lowlying(e)

dry(f) wet

3 If agricultural  
land, please give  
relevant details—

(a) whether  
canal water  
available for  
irrigation(b)  
whetherirrigation  
from tank is

done:(c) whether  
irrigation

watertaken from  
tubewell/well(d)

whether any : Yes/No: Yes/No: Yes/No: Yes/No: One/Two/Morethan two:  
other

irrigationfacility

is available(e)

number of crops  
produced during  
theyear(f)

average yield  
from the land  
per year (in  
rupees)

4. Other  
particulars  
regarding the  
land—

: .....

(a) distance from  
main road (in  
metres)(b)  
distance  
fromnearest  
market(c)  
distance from  
nearest  
habitat(d)transport  
facilities(e) any  
other particulars  
that may  
affectthe market  
value of the land

5. Total land  
proposed to be  
transferred (in : .....  
square metres)

6. Total market  
value set forth in : .....  
the instrument

7. Market value  
per cottah as per : .....  
6 above

8. Remarks, if  
any : .....

9. Transferor—  
(a) name(b) full  
address : .....:

10. Transferee—  
(a) name(b) full  
address : .....:

11. Deed  
Writer—  
(a) name(b)  
licence No. : .....:

12. Advocate, if  
any—  
(a) name(b)  
address : .....:

The above statement is true to the best of my knowledge and belief. I undertake to indemnify the Government for any loss of revenue due to misstatement or suppression of facts

hereinabove.....Counter signature of the Deed Writer/Advocate.....Signature of the person executing the instrument for registrationForm V[See sub-rule (8) of rule 3]Notice calling upon parties by whom stamp duty is payable to make payment of deficit amount of stamp duty under sub-section (2) of section 47A of the Indian Stamp Act, 1899To.....(name of person by whom stamp duty payable, executant or claimant or authorised agent or authorised advocate).....(address)Whereas a document bearing serial number.....executed by.....and others in favour of ..... and others, was presented for registration before the undersigned on.....And Whereas the market value of the property which is the subject matter of the aforesaid document has been ascertained at Rs.....And Whereas he is required to pay deficit Stamp Duty amounting to Rs.....Now, therefore, he is requested to pay the deficit stamp duty in the Government Treasury at.....or to pay the said sum by bank draft drawn on any agency bank in favour of the undersigned within thirty days from the date of receipt of this notice and to furnish the receipted challan or the bank draft, as the case may be, as proof of such payment within a week from the date of deposit with the Treasury or date of purchase of bank draft, failing which necessary steps will be taken as per provision contained in sub-section (3) of section 47A of the Indian Stamp Act, 1899.Date.....Registering Officer(Seal and Signature)Form VA[See sub-rule (8) of rule 3]Register of pending cases under sub-section (1) of section 47A of the Indian Stamp Act, 1899

Sl. No.	Date of Presentation	Pending No. of documents	Presentant	Executant/s	Claimant/s	Market value set forth	Stamp duty paid	Registration fee paid	Market value assessed	St
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Registration fee required	Deficit stamp duty	Deficit registration fee	Date of payment of deficit stamp duty	Date of payment of deficit registration fee	Date of admission to registration	Deed No.	Date of sending to the Collector	Case No. and date	Remarks	
(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	

Form VI[See sub-rule (1) of rule 41]Register of reference cases under sub-section (3) of section 47A of the Indian Stamp Act, 1899

Sl. No.	Date or presentation	Nature of document	Serial No. in fee book	Name and address of executant	Market value set forth in the doct.	Stamp duty paid	Market value assessed by R.O.	Stamp duty required	Amount of deficit stamp duty	Case No. and date of reference to the Collector
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Market value determined by the Collector		Stamp duty required as per determination			Date of payment of deficit stamp duty		Challan No. or bank draft No. with date	Appeal, if any and date		Remarks
(12)		(13)			(14)		(15)	(16)		(17)

Form VIIA[See sub-rule (3) of rule 4 ]Intimation of payment of deficit stamp duty to the CollectorTo.....[name and address of the Collector to whom reference has been made under sub-rule (1) of rule 4]Whereas a reference has been made by me under sub-section (3) of section 47A read with sub-rule (1) of rule 4 of the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 2001 in respect of the instrument mentioned below;And Whereas the person by whom stamp duty is payable under section 29 does not appear to have received any communication from you intimating him of the market value of the property which is the subject-matter of the instrument and the proper stamp duty payable thereon as determined by you;And Whereas the above mentioned person has made the payment of deficit stamp duty as ascertained by me.You are, therefore, requested to treat the reference made under sub-section (3) of section 47A read with sub-rule (1) of rule 4 as withdrawn.Particulars of the instrument for which reference was made:-

1. Serial No. of instrument :
2. Date of presentation :
3. Name of the executant or executants :
4. Name of the claimant or claimants :
5. Nature of the instrument :
6. Reference No. and date :

Date.....Signature.....Registering Officer(Seal)Form VIIBSee sub-rule (4) of rule 4 jIntimation of payment of deficit stamp duty to the CollectorTo[name and address of the Collector to whom reference has been made under sub-rule (1) of rule 4 of the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 1994]Whereas a reference has been made by me under sub-section (1) of section 47A of the Indian Stamp (West Bengal Amendment) Act, 1990 read with sub-rule (1) of rule 4 of the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 1994 in respect of the instrument mentioned below;And Whereas the person by whom stamp duty is payable under section 29 of the Indian Stamp Act, 1899 does not appear to have received any communication from you intimating him of the market value of the property which is the subject-matter of the instrument and the proper amount of duty payable thereon as determined by you;And Whereas the above mentioned person has made the payment of deficit stamp duty as ascertained by me.You are, therefore, requested to treat the reference made under sub section (1) of section 47A of the Indian Stamp (West Bengal Amendment) Act, 1990 read with sub-rule (1) of rule 4 of the West Bengal Stamp (Prevention of Undervaluation of Instruments) Rules, 1994 as withdrawn.Particulars of the instrument for which reference was made:-

1. Serial No. of instrument :
2. Date of presentation :
3. Name of the executant or executants :
4. Name of the claimant or claimants :
5. Nature of the instrument :
6. Reference No. and date :

Date.....Signature.....Registering Officer(Seal)Form VIII[See sub-rule (1) of rule 5]Notice calling for objections relating to determination of market value under sub-section (5) of section 47A of the Indian Stamp Act, 1899To(name of the person \*Strike out whichever is not applicable.by

whom or in whose favour the instrument is executed or the person by whom stamp duty is payable under section 29)(address)Whereas a reference has been made to me under sub-section (3) of section 47A read with sub-rule (1) of rule 4;And Whereas it appears that an instrument of \*Strike out whichever is not applicable.agreement or memorandum of an agreement relating to sale or lease-cum-sale of immovable property or conveyance or exchange or gift or partition or power of attorney where proper stamp duty is payable on the basis of market value or settlement or transfer of lease by way of assignment is executed \*Strike out whichever is not applicable.by you or in your favour;And Whereas I am satisfied on information which has come into my possession that the market value of the property which is the subject-matter of such instrument is not truly set forth in the statement in \*Strike out whichever is not applicable.Form I or Form II or Form III or Form IV furnished by you under rule 3(2) and stamp duty payable by you \*Strike out whichever is not applicable.is not correctly paid under rule 3(9);And Whereas it appears to me to be necessary to determine the market value under sub-section \*Strike out whichever is not applicable.(5) or sub-section (8) of section 47A for the purpose of determination of the correct amount of stamp duty payable by you.You are hereby directed to attend in person or by an authorised advocate or agent at (place).....on (date).....at (time).....and thereat produce or cause to be produced at the said time and place, any objection which you may wish to prefer and any evidence which you may wish to adduce in support of the correctness of the market value set forth in the statement or payment of the amount of stamp duty by you.In the event of your failure to comply with this notice, I shall determine the market value ex parte to the best of my judgement.Date.....Signature.....(Collector).....(Seal)Form IX[ See sub-rule (5) of rule 5Notice of determination of market value under sub-section (5) or sub-section (8) of section 47A of the Indian Stamp Act, 1899To(name of the person \*Strike out whichever is not applicable.by whom or in whose favour the instrument is executed or the person by whom stamp duty is payable under section 29).....(address)In continuation of the notice in Form VIII under rule 5(1) served on you on the ..... day of ..... 20..... you are hereby informed that after careful consideration of the \*Strike out whichever is not applicable.objections raised by you, \*Strike out whichever is not applicable.examinig the information. report, records and finding of the Registering Officer, the market value of the property, which is the subject-matter of the instrument of \*Strike out whichever is not applicable.agreement or memorandum of an agreement relating to sale or lease-cum-sale of immovable property or conveyance or exchange or gift or partition or power-of-attorney where proper stamp duty is payable on the basis of market value or settlement or transfer of lease by way of assignment and in respect of which the statement in \*Strike out whichever is not applicable.Form I or Form II or Form III or Form IV was furnished before the registering officer of ..... (name of the office of registering officer) on ..... (date) has been determined by me at Rs..... (in figures) (Rupees ..... (in words) and the amount of stamp duty as mentioned below is payable by you in respect of the aforesaid instrument.You are hereby directed to pay the sum of Rs. .... (in figures) (Rupees ..... (in words) (as per details below) into the Government treasury at ..... or to pay the said sum by a bank draft drawn on any agency bank in favour of concerned registering officer within thirty days from the date of receipt of this notice and to furnish the challan or the bank draft, as the case may be, as proof of such payment before such registering officer within a week from the date of deposit into the treasury or \*date of purchase of the bank draft, failing which you shall be liable to pay an interest at the rate of two per centum for each British Calendar month of default from the first day of such month

following the month in which you are required to pay the deficit stamp duty specified in this notice up to the month preceding the month of full payment of such duty.

Stamp Duty payable — Rs. .... (A)

Less: Stamp Duty paid — Rs. .... (B)

Deficit Stamp Duty (A) — Rs. ....

Date.....Address.....CollectorCopy forwarded to the Registering Officer or District Registrar,.....This has reference to his Memo No. .... dated ..... for information and necessary action.Date.....CollectorAddress.....(District)Form X[See sub-rule (1) of rule 7]Form of application for appeal under section 47B of the Indian Stamp Act, 1899ToThe.....(Appellate Authority)The ..... day of ..... 20 .....(a)Date of order against which the application is submitted.....(b)Name and designation of the Officer who passed the order.....(c)Instrument in respect of which order is passed.....(i)date and nature of instrument.....(ii)number, date and place of registration of the instrument.....(iii)location of the property which is the subject-matter of the instrument .....(d)(i)Market value of the property as set forth in the instrument .....(ii)Amount of stamp duty already paid .....(e)(i)Market value of the property as determined under section 47A(5)/47A(8).....(ii)Amount of stamp duty determined .....(f)(i)Amount of stamp duty in dispute.....(appellant), \*Strike out whichever is not applicable.son/daughter/wife of .....(full name) of .....(full address) sheweth as follows:I, .....(\*Strike out whichever is not applicable.son/daughter/wife of .....). ..... \*Strike out whichever is not applicable.son/daughter/wife of..... \*Strike out whichever is not applicable.son/daughter/wife of.....etc. (names of all the persons) have executed the instrument in respect of which market value of property and stamp duty have been determined.

**2. The notice of determination of market value and stamp duty under \*Strike out whichever is not applicable.sub-section (5)/sub-section (8) of section 47A read with rule 5(5) and received on ....., is attached hereto.**

**3. The \*Strike out whichever is not applicable.attested photo copy/certified copy of the order appealed against is attached.**

**4. The \*Strike out whichever is not applicable.attested photo copy or certified copy of the instrument is attached**

**5. Name(s) of the person or persons by whom stamp duty is payable under section 29.**

**6. Being aggrieved by the aforementioned order of .....your appellant begs to prefer this appeal on the following. amongst others.**

Grounds(here enter the grounds on which the appellant relies for the purposes of his appeal).

**7. Your appellant, therefore, prays that market value and stamp duty may be modified accordingly, or that he may be granted such relief as may be deemed just and proper.**

VerificationI, .....the appellant do hereby declare that aforementioned particulars stated by me are true to the best my knowledge and belief.Verified today the ..... day of ..... 20 .....Signature of the appellant or authorised agent. Status.....Form XI[See sub-rule (2) of rule 11]Notice calling for objection relating to revision of market value under sub-section (1) of section 47C of the Indian Stamp Act, 1899ToThe(name of the person \*Strike out whichever is not applicable.by whom or in whose favour the instrument is executed or the person by whom stamp duty is payable under section 29).....(address)Whereas it appears that an instrument of \*Strike out whichever is not applicable.agreement or memorandum of an agreement relating to a sale or lease-cum-sale of immovable property or conveyance or exchange or gift or partition or power-of-attorney where proper stamp duty is payable on the basis of market value or settlement or transfer of lease by way of assignment is executed \*Strike out whichever is not applicable.by you or in your favour;And Whereas it appears that the said instrument was registered at the office of the .....(designation of the registering officer) being No. for the year ..... after payment of deficit stamp duty and interest, if any, on the basis of market value as determined by the Collector under sub-rule (4) of rule 5 or as modified by the appellate authority under sub-rule (1) of rule 10;And Whereas I have reason to believe on information which has come into my possession that the order passed by the Collector or appellate authority on ..... (date) in respect of the instrument mentioned at paragraph above requires to be revised.You are hereby directed to attend in person or by an authorised advocate or agent at (place) ..... on (date) ..... at (time) ..... and thereat produce, or cause to be produced at the said time and place, any objection which you may wish to prefer and any evidence which you may wish to adduce in support of the correctness of the market value \*Strike out whichever is not applicable.as determined by the Collector or as modified by the appellate authority and the correctness of the amount of stamp duty and interest, if any, paid by you and show cause as to why the order as mentioned above shall not be revised.In the event of your failure to comply with this notice, I shall revise the aforesaid order ex parte to the best of my judgement.Date.....Signature .....(Chief Controlling Revenue Authority)Copy forwarded to the \*Strike out whichever is not applicable.Collector or concerned appellate authority for information and necessary action.Date .....Signature .....(Chief Controlling Revenue Authority)Form XII[See sub-rule (7) of rule 11]Notice of determination of market value under sub-section (1) of section 47C of the Indian Stamp Act, 1899ToThe.....(name of the person \*Strike out whichever is not applicable.by whom or in whose favour the instrument is executed or the person by whom stamp duty is payable under section 29).....(address)In continuation of the notice in Form XI under sub-rule (2) of rule 11 served on you on the ..... day of ..... 20 ..... you are hereby informed that after careful consideration of the objections raised by, examining the information, report, records and \*Strike out whichever is not applicable.order of the Collector determining the market value of the property or order of the appellate authority modifying the market value of the property, which is the subject-matter of the instrument of \*Strike out whichever is not



applicable.agreement or memorandum of an agreement relating to a sale or lease-cum-sale of immovable property or conveyance or exchange or gift or partition or power-of-attorney where stamp duty is payable on the basis of market value or settlement or transfer of lease by way of assignment which was registered at the office of the .....(name of the office of the registering officer), being No ..... for the year ..... has been revised by me at Rs. .... (in figures) (Rupees ..... ) (in words) in terms of the provision contained in sub-section (1) of section 47C of the Indian Stamp Act, 1899 read with sub-rule (6) of rule 11.Accordingly, \*Strike out whichever is not applicable.a stamp duty amounting to Rs. ....(in figures) (Rupees ..... ) (in words) is payable by you or an amount of Rs. .... (in figures) (Rupees ..... ) (in words) has been paid in excess than that was required.\*Strike out whichever is not applicable.You are hereby directed to pay a sum of Rs. ....(in figures) (Rupees ..... ) (in words) into the Government treasury at ..... or to pay the said sum by a bank draft drawn on any agency bank in favour of the concerned registering officer within thirty days from the date of receipt of this notice and to furnish the challan or the bank draft, as the case may be, as proof of such payment before the concerned registering officer of .....within a week from the date of deposit into the treasury or date of purchase of the bank draft failing which the arrear amount shall be recoverable as per law.\*Strike out whichever is not applicable.The excess amount of stamp duty so paid by you together with interest paid on such amount, if any, shall be returned to you by the concerned registering officer. You are requested to contact with the concerned registering officer.Date .....Signature .....(Chief Controlling Revenue Authority)Copy forwarded to the:-

**1. \*Strike out whichever is not applicable.Sub-Registrar or Additional District Sub-Registrar or District Sub-Registrar of .....P.O. .... Dist. .... for information.**

The refund bill for the amount mentioned in the notice shall be prepared and endorsed by him. He shall arrange for the refund of the excess amount mentioned in the notice to Shri (name of the person who is liable to pay stamp duty u/s. 29 of the Indian Stamp Act, 1899).

**2. Treasury officer ..... P.O. .... Dist ..... for information.**

Date .....Signature: .....(Chief Controlling Revenue Authority, West Bengal)Form XIII(See rule 15)Register of bank draft or treasury challan received for payment of deficit stamp duty under the Indian Stamp Act, 1899

Date	From whom received	SI. No, of documents and date/Doct. No. and date	Executant or executants(iv)	Claimant or Claimants	Market value of the property	Stamp duty required	Amount of stamp duty paid	Amount of deficit stamp duty paid	Paid to treasury challan or bank draft
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(11)

Bank draft or treasury challan No.	Date	Bank or treasury name	Bank or treasury Code	Amount	Date of verification with treasury	Date of deposit	Treasury challan number		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Important Notification Section 9 of the Indian Stamp Act, 1899 - Power to reduce, remit or compound duties - Changes in rate of stamp duty Schedule I Notification No. 130(E), dated 28.1.2004 \*Vide Notification No. SO 130(E), dated 28.1.2004, issued by Government of India in the Ministry of Finance (Department of Revenue), issued by department of Revenue). In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) and in supersession of the notifications of Government of India in the Ministry of Finance (Department of Revenue) published in the Gazette of India, Extraordinary, Part II, section 3 vide numbers S.O. 198(E) dated the 16th March, 1976 and S.O. 199(E) dated the 16th March, 1976, except as respects things done or omitted to be done before such supersession, the Central Government hereby directs that with effect from 1st March, 2004, the proper stamp duty chargeable on instruments mentioned under column (1) in articles 13, 14, 27, 37, 47, 49, 52 and 62(a) in the Schedule I of the Act, shall be reduced and stamp duty payable thereon after such reduction, shall be as specified in the Table given below, namely :-

Description of the Instrument (as specified in Schedule I to the Indian Stamp Act, 1899)	Proper Stamp Duty
(1)	(2)
13. Bill of exchange as defined by section 2(2) not being a BOND, bank-note or currency note—	
(b) where payable otherwise than on demand—	
(i) where payable not more than three months after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	Thirty paise.
if it exceeds Rs. 500 but does not exceed Rs. 1,000	Sixty paise.
and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000	Sixty paise.
(ii) where payable more than three months but not more than six months after date or sight—	
if the amount of the bill or note does not exceed Rs. 500;	Sixty paise.
	One rupee twenty paise.

if it exceeds Rs. 500 but does not exceed Rs. 1,000;  
 and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000; One rupee twenty paise.

(iii) where payable more than six months but not more than nine months after date or sight—  
 if the amount of the bill or note does not exceed Rs. 500; Ninety paise.

if it exceeds Rs. 500 but does not exceed Rs. 1000;  
 and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000; One rupee eighty paise.

(iv) where payable more than nine months but not more than one year after date or sight  
 if the amount of the bill or note does not exceed Rs. 500; One rupee twenty-five paise.

if it exceeds Rs. 500 but does not exceed Rs. 1,000;  
 And for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000; Two rupees fifty paise.

(c) where payable at more than one year after date or sight—  
 if the amount of the bill or note does not exceed Rs. 500; Two rupees fifty paise.

if it exceeds Rs. 500 but does not exceed Rs. 1,000;  
 and for every additional Rs. 1,000 or part thereof in excess of Rs. 1,000; Five rupees.

14. Bill of Lading (including a through bill of lading); One rupee.

#### Exemptions

N.B.-If a bill of lading drawn in parts, the proper stamp therefor must be borne by each one of the set.

(a) Bill of lading when the goods therein described are received at a place within the limits of any port as defined under the Indian Ports Act, 1889 (10 of 1899),

and are to be delivered at another place within the limits of the same port;

(b) Bill of lading when executed out of India and relating to property to be delivered in India.

27 Debenture (whether a mortgage debenture or not), being a marketable security transferable—

(a) by endorsement or by a separate instrument of transfer—

where the amount or value does not exceed Rs. 10; Ten paise.

where it exceeds Rs. 10 and does not exceed Rs. 50; Twenty paise.

Ditto	50	Ditto	100;	Thirty-five paise.
Ditto	100	Ditto	200;	Seventy-five paise.
Ditto	200	Ditto	300;	One rupee ten paise.
Ditto	300	Ditto	400;	One rupee fifty paise.
Ditto	400	Ditto	500;	One rupee eighty-five paise.
Ditto	500	Ditto	600;	Two rupee twenty-five paise.
Ditto	600	Ditto	700;	Two rupees sixty paise.
Ditto	700	Ditto	800;	Three rupees.
Ditto	800	Ditto	900;	Three rupees forty paise.
Ditto	900	Ditto	1,000;	Three rupees seventy-five paise.

and for every Rs. 500 or part thereof in excess of Rs. 1,000; One rupee eighty-five paise.

(b) by delivery—

Thirty-five paise.

where the amount or value of the consideration for such debenture as set forth therein does not exceed Rs. 50;

where it exceeds Rs. 50 but does not exceed Rs. 100;      Seventy-five paise.

Ditto	100	Ditto	200;	One rupee fifty paise.
Ditto	200	Ditto	300;	Two rupees twenty-five paise
Ditto	300	Ditto	400;	Three rupees.
Ditto	400	Ditto	500;	Three rupees seventy-five paise.
Ditto	500	Ditto	600;	Four rupees fifty paise.
Ditto	600	Ditto	700;	Five rupees twenty-five paise.
Ditto	700	Ditto	800;	Six rupees.
Ditto	800	Ditto	900;	Six rupees seventy-five paise.
Ditto	900	Ditto	1000;	Seven rupees fifty paise.

and for every Rs. 500 or part thereof in excess of Rs. 1,000.      Three rupees seventy-five paise.

Explanation.—The term "Debenture" includes any interest coupons attached thereto but the amount of such coupons shall not be included in estimating the duty. Exemption A debenture issued by an incorporated company or other body corporate in terms of a registered mortgage-deed, duly stamped in respect of the full amount of debentures to be issued thereunder, whereby the company or body borrowing makes over, in whole or in part, their property to trustees for the benefit of the debenture

holders: Provided that the debentures so issued are expressed to be issued in terms of the said mortgage-deed.

37. Letter of Credit, that is to say, any instrument by which one person authorizes another to give credit to the person in whose favour it is drawn. One rupee.

47. Policy of Insurance A – Sea Insurance [see section 7 of Indian Stamp Act, 1899 (2 of 1899)] If drawn singly

If drawn in duplicate for each part

(I) for or upon any voyage—

(i) where the premium or consideration does not exceed the rate of one-eighth per centum of the amount insured by the policy; Five paise

Five paise.

(ii) in any other case, in respect of every full sum of one thousand five hundred rupees and also any fractional part of one thousand five hundred rupees insured by the policy; Five paise

Five paise

(2) for time—

(iii) in respect of every full sum of one thousand rupees and also any fractional part of one thousand rupees insured by the policy—

where the insurance shall be made for any time not exceeding six months; Ten paise

Five paise.

where the insurance shall be made for any time exceeding six months and not exceeding twelve months. Ten paise

Five paise.

B. – Fire-insurance and other classes of insurance, not elsewhere included in this article, covering goods, merchandise, personal effects, crops, and other property against loss or damage—

(1) in respect of an original policy—

(i) when the sum insured does not exceed Rs. 5,000; Twenty-five paise.

(ii) in any other case, and Fifty paise.

(2) in respect of each receipt for any payment of a premium on any renewal of an original policy.	One-half of duty payable in respect of the original policy in addition to the amount, if any, chargeable under No. 53.	
C. – Accident and sickness insurance—		
(a) against railway accident, valid for a single journey only.	Five paise.	
Exemption		
When issued to a passenger travelling by the intermediate or the third class in any railway;		
(b) in any other case – for the maximum amount which may become payable in the case of any single accident or sickness where such amount does not exceed Rs. 1,000 and also where such amount exceeds Rs. 1,000, for every Rs. 1,000 or part thereof.	Ten paise. Provided that in case of a policy of insurance against death by accident when the annual premium payable does not exceed Rs. 250 per Rs. 1,000, the duty on such instruments shall be five paise for every Rs. 1,000 or part thereof of the maximum amount which may become payable under it	
CC. — Insurance by way of indemnity against liability to pay damages on account of accidents to workmen employed by or under the insurer or against liability to pay compensation under the Workmen's Compensation Act, 1923 (8 of 1923), for every Rs. 100 or part thereof payable as premium.	Five paise	
D. — Life insurance or group insurance or other insurance not specifically provided for, except such as are insurance, as is described in Division E or this article	If drawn singly	If drawn in duplicate for each part
(i) for every sum insured not exceeding Rs. 250;	Ten paise.	Five paise.
(ii) for every sum insured exceeding Rs. 250 but not exceeding Rs. 500;	Ten paise.	Five paise.

(iii) for every sum insured exceeding Rs. 500 but not exceeding Rs. 1,000 and also for every Rs. 1,000 or part thereof in excess of \ Rs. 1,000;

Twenty paise.

Ten paise.

Exemption Policies of life insurance granted by the Director General of Post Offices in accordance with rules for Postal Life Insurance issued under the authority of the Central Government.

N.B.-If a policy of group insurance is renewed or otherwise modified where by the sum insured on which stamp duty has been paid, the proper stamp must be borne on the excess sum so insured.

E. — Re-insurance by an insurance company, which has granted a policy of the nature specified in Division A or Division B of this Article, with another company by way of indemnity or guarantee against the payment on the original insurance of a certain part of the sum insured thereby.

One-quarter of the duty payable in respect of the original insurance but not less than five paise or more than fifty paise: Provided that is the total amount of duty payable is not a multiple of five paise, the total amount shall be rounded off to the next higher multiple of five paise.

#### General Exemption

Letter of cover or engagement to issue a policy insurance

Provided that, unless such letter of engagement bears the stamp prescribed by this Act for policy, nothing shall be claimable thereunder, shall it be available for any purpose, except, compel the delivery of the policy therein mentioned.

49. Promissory Note [as defined by section 2(22)]—

When payable on demand

(i) when the amount or value does not exceed Rs. 250;

Five paise

(ii) when the amount or value exceeds Rs. 250 but does not exceed Rs. 1,000;

Ten Paise



(iii) in any other case;	Fifteen paise.
(b) when payable otherwise than on demand	The same duty as a Bill of Exchange (No. 13) for same amount payable otherwise than on demand.

52. Proxy empowering any person to vote at any one election of the members of a district or local board or of a body of Municipal Commissioners, or at any one meeting of (a) members of an incorporated company or other body corporate whose stock or funds is or are divided into shares and transferable, (b) a local authority, or (c) proprietors, members or contributors to the funds of any institution Fifteen paise.

62. Transfer (whether with or without consideration)—

(a) of shares in an incorporate company or other body corporate;	Twenty-five paise for every hundred rupees or part thereof of the value of the share :
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Provided that rates of stamp duty specified in column (2) on Bills of Exchange for items (b) and (c) in Article 13 and on promissory note for item (b) of Article 49 shall not apply to usance bills of exchange or promissory notes drawn or made for securing finance from Reserve Bank of India, Industrial Finance Corporation of India, Industrial Development Bank of India, State Financial Corporations, Commercial Banks and Co-operative Banks for (a) bona fide commercial or trade transactions, (b) seasonal agricultural operations or the marketing of crops or (c) production or marketing activities of cottage and small scale industries and such instruments shall bear the rate of stamp duty at one-fifth of the rate mentioned against items (b) and (c) in Article 13 and item (b) in Article 49 of Schedule I of the Indian Stamp Act, 1899 (2 of 1899). Explanation 1.-For the purposes of the proviso-(a) the expression "agricultural operations" includes animal husbandry and allied activities jointly undertaken with agricultural operations; (b) "crops" include products of agricultural operations; (c) the expression "marketing of crops" includes the processing of crops prior to marketing by agricultural producers or any organization of such producers. Explanation 2.-The duty chargeable shall, wherever necessary, be rounded off to the next five paise.