



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Indian Stamp (Goa Amendment) Bill, 2021**

(Bill No. 39 of 2021)

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(To be introduced in the Legislative Assembly of the State of Goa)  
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GOA LEGISLATURE SECRETARIAT,  
ASSEMBLY HALL, PORVORIM, GOA  
JULY, 2021

**The Indian Stamp (Goa Amendment) Bill, 2021**

(Bill No. 39 of 2021)

A

Bill

*further to amend the Indian Stamp Act, 1899 (2 of 1899), as in force in the State of Goa.*

BE it enacted by the Legislative Assembly of Goa in the Seventy - second Year of the Republic of India as follows :-

**1. Short title and commencement.**— (1) This Act may be called the Indian Stamp (Goa Amendment) Act, 2021.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

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

(i) for article 32, the following article shall be substituted, namely:—

<p>"32. GIFT - Instrument of, not being a Settlement (No. 58) or Will or Transfer (No. 62),-</p> <p>(a) when executed in favour of father, mother, brother, sister, wife, husband, daughter, son, grandson or grand daughter</p> <p>(b) in any other case</p>	<p>Five thousand rupees.</p> <p>The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be, of article 22, on the market value of the property which is subject matter of gift.</p>
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HIRING AGREEMENT or agreement for service. See Agreement (No. 5)";	
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(ii) in article 39, for clause (a), the following clause shall be substituted, namely:—

“(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given.	One thousand rupees”.
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The same duty as in clause (a) of article 32, or the market value of the property which is subject matter of	(b) when executed in favour of father, mother, brother, sister, wife, husband, daughter, son, grandson or grand daughter (b) in any other case
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### STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the stamp duty proposed for registration of Gift Deed without making the valuation of the property and Mortgage Deed to help the mortgager, pay less stamp duty while mortgaging the property for obtaining loan and to encourage registration of more documents and bring these type of documents under the process of collection of stamp duty.

This Bill seeks to achieve the above objects.

### FINANCIAL MEMORANDUM

There will be an impact on the State's revenue due to the proposed reduction in the stamp duty that is prescribed for 'Gift' under Article 32 and for mortgage under Article 39 of Schedule I-A of the Indian Stamp Act, 1899. However, the loss cannot be quantified at this stage.

### MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

Porvorim-Goa.  
21<sup>st</sup> July, 2021

(Smt. Jennifer Monserrate)  
Minister for Revenue

Assembly Hall,  
Porvorim-Goa.  
21<sup>st</sup> July, 2021

(Namrata Ulman)  
Secretary to the  
Legislative Assembly of Goa

**Governor's Recommendation under Article 207  
of the Constitution of India**

In pursuance of Article 207 of the Constitution of India, I, Shri P.S. Sreedharan Pillai, Governor of Goa, hereby recommend the introduction and consideration of the Indian Stamp (Goa Amendment) Bill, 2021, by the Legislative Assembly Goa.

Place: Raj Bhavan  
Dona Paula, Goa.

**P. S. SREEDHARAN PILLAI**  
Governor of Goa

Date: 27<sup>th</sup> July, 2021.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is envisaged in this Bill.

(Smt. Jennifer Moniz)  
Minister for Revenue

Goa  
27 July 2021

(Smt. Jennifer Moniz)  
Secretary to the  
Legislative Assembly of Goa

Assembly Hall  
Goa  
27 July 2021

The extract of Article 32 and 39 of schedule I- A to the Indian Stamp Act (Goa Amendment) Act 1968

<p>"32. GIFT - Instrument of, not being a Settlement (No. 58) or Will or Transfer (No. 62),-</p> <p>HIRING AGREEMENT or agreement for service. See Agreement (No. 5)";</p>	<p>The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be, of article 22, on the market value of the property which is subject matter of gift.</p>
<p>39. MORTGAGE-DEED, not being an agreement relating to Deposit of Title Deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 16), Mortgage of a Crop (No. 40), Respondentia Bond (No. 56), or Security Bond (No 57) -</p> <p>(a) when possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given.</p>	<p>The same duty as is leviable on a conveyance under clause (a) or (b), as the case may be of article 22, a consideration equal to the amount secured by such deed.</p>
<p>(b) when possession is not given or agreed to be given as aforesaid:</p> <p><i>Explanation.</i> A mortgagor who gives to the mortgagee a power of attorney to collect rents or a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.</p>	<p>The same as Bond (No. 15) for the amount secured by such deed.</p>

<p>c) when a collateral or auxiliary or additional or substituted security, or by way of further assurances for the above mentioned purposes where the principal or primary security is duly stamped-</p> <p>for every sum secured not exceeding Rs. 1,000/-;</p> <p>and for every Rs. 1,000/- or part thereof secured in excess of Rs. 1,000/-</p>	<p>Two rupees.</p> <p>Two rupees.</p>
<p><b>Exemptions</b></p>	
<p>(1) Instrument executed by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists Loans Act, 1884, or by their sureties as secured for the repayment of such advances.</p> <p>(2) Letter of hypothecation accompanying a bill of exchange.</p>	