

THE GUJARAT STAMP (AMENDMENT) BILL, 2025.

GUJARAT BILL NO. 10 OF 2025.

A BILL

further to amend the Gujarat Stamp Act, 1958.

It is hereby enacted in the Seventy-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Stamp (Amendment) Act, 2025.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

**Short title and
commencement.**

Amendment of
section 2 of
Bom. LX of
1958.

2. In the Gujarat Stamp Act, 1958 (hereinafter referred to as “the principal Act”), in section 2,-

Bom. LX of
1958.

(1) in clause (g),

- (i) for sub-clause (iv), the following sub-clause shall be substituted namely; -

"(iv) every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); or every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; or every order made by the Board for Industrial and Financial Reconstruction under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by Ministry of Finance or under any prevailing law by any authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes etc."

- (ii) after sub-clause (v), the following sub-clause shall be inserted, namely:-

"(vi) any agreement for take over the management or control of company by transferring or purchasing the shares of the company."

(2) in clause (l), the existing Explanation shall be renumbered as Explanation I and after Explanation I as so renumbered, the following Explanation II shall be inserted, namely: -

Explanation II.- Notwithstanding any other Act or law in force, for the purpose of the levy of stamp duty in absence of

original instrument, copy or extract or Photocopy or certified copy shall be treated as original instrument.”.

3. In the principal Act, in section 3,

**Amendment of
section 3 of
Bom. LX of
1958.**

- (1) before the existing proviso, the following proviso shall be inserted, namely: -

"provided that a copy or extract or Photocopy, whether certified to be a true copy or not and whether a facsimile image or otherwise of the original instrument on which stamp duty is chargeable under the provisions of this section, shall be chargeable with full stamp duty indicated in the Schedule I if the proper duty payable on such original instrument is not paid.”;

- (2) in the existing proviso, for the words" Provided that", the words "Provided further that" shall be substituted.

4. In the principal Act, in section 3A, in sub-section (1), for the items (1) to (10), the following items shall be substituted, namely:-

**Amendment of
section 3A of
Bom. LX of
1958.**

“(1) No. 6(1) (Agreement or memorandum or agreement relating to deposit of title deeds),

- (2) No. 17 (Certificate of sale),
- (3) No. 20(a), 20(b) and 20(c) (Conveyance),
- (4) No. 26 (Exchange of property),
- (5) No. 27 (Further charge),
- (6) No. 28 (Gift),
- (7) No. 30 (Lease and Leave and License),
- (8) No. 36 (Mortgage-deed),
- (9) No. 45 (f) (Power of Attorney when given for consideration and authorizing the attorney to sell any immovable property or authorizing to sell or transfer immovable property without consideration or without showing any consideration),
- (10) No. 52 (Settlement)
- (11) No. 57 (transfer of lease)”.

Insertion of new section 10A in Bom. LX of 1958. 5. In the principal Act, after section 10, the following section shall be inserted, namely:-

Certain departments, organizations, Institutions, etc., to ensure payment of stamp duty. “10A. (1) Notwithstanding anything contained in this Act, the State Government may, by notification in the *Official Gazette*, direct that any Statutory bodies, institution or local self-Government, semi Government organization, banking or non-banking financial institution or the body owned, controlled or substantially financed by the State Government or any class of them, shall ensure that the proper duty is paid to the State Government through system of payment as may be notified by the State Government in this behalf, in respect of such instruments, as may be specified in the notification in which such institution or body, etc., is a party or which create a right in favour of such institution or body, etc., and of which registration is compulsory or not compulsory.

(2) Such authority or institution or body, etc. shall authorize a person nominated by such institution or body, etc. as mentioned in sub-section (1) as a proper officer for defacing the *challan* by any system of payment as may be notified by the State Government in this behalf and making the endorsement on such instruments.

(3) It shall be the duty of the proper officer so authorized under sub-section (2) to make an endorsement on the instruments in the manner as specified in the notification by the State Government.”.

Amendment of section 17 of Bom. LX of 1958. 6. In the principal Act, in section 17, for the existing second proviso, the following proviso shall be substituted, namely:-

“Provided further that the instrument, so far as it relates to every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); and every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; and every order made by the Board for Industrial and Financial Reconstruction

under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by ministry of finance or under any prevailing law by any authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes, etc. shall be stamped within sixty days from the date of such order of the said authorities.”.

7. In the principal Act, in section 30, after clause (f), the following clause shall be inserted, namely:-

Amendment of section 30 of Bom. LX of 1958.

“(f-a) in case of instrument of Built, Operate and Transfer (BOT) as provided in Article 5(gc) of SCHEDULE –I , by the person receiving the contract;”.

8. In the principal Act, after section 30, the following section shall be inserted, namely:-

Insertion of new section 30A in Bom. LX of 1958.

Duties payable by financial institution.

“30A. Notwithstanding anything contained in section 30, where any instrument referred to in clauses (a) to (g) of section 30 is executed on or after the date of commencement of the Gujarat Stamp (Amendment) Act, 2025, in favour of or by any financial institution such as Bank, Non-Banking Finance Company, Housing Finance Company or alike, which creates any right in favour of any such financial institution, the liability to pay proper stamp duty shall be on such financial institution concerned without affecting their right.”.

Guj.of
2025.

9. In the principal Act, in section 31,-

Amendment of section 31 of Bom. LX of 1958.

- (1) in sub-section (1),-

(i) for the words “whether executed or not”, the words “whether executed and brought to the Collector for adjudication (i) within sixty days from the date of the execution or first execution of such instrument in the State, or (ii) if such instrument is executed or first executed, out of the State, within three months from the date of first receipt of such instrument in this State or not executed” shall be inserted;

(ii) for the words “not exceeding one hundred rupees and not less than twenty-five rupees” the words “one thousand rupees” shall be substituted;

(2) after clause (3), the following clauses shall be inserted, namely: -

“(4) When an instrument is brought to the Collector for adjudication, -

(i) within sixty days from the date of the execution or first execution of such instrument in the State; or

(ii) if, such instrument is executed or first executed, out of the State, within three months from the date of first receipt of such instrument in this State,

the person liable to the pay the stamp duty under section 30 shall pay the same within the time prescribed for its payment. if the person fails to pay such amount within the time prescribed for its payment, he shall be liable to pay simple interest according to sub section (1) of section 46 of the Act.

(5) When an instrument is brought to the Collector for adjudication, -

(i) After sixty days from the date of the execution or first execution of such instrument in the State; or

(ii) if, such instrument is executed or first executed, out of the State, after three months from the date of first receipt of such instrument in this State,

the Collector shall not adjudicate the same and such instrument shall be dealt with section 33 of the Act.”.

**Amendment of
section 32 of
Bom. LX of
1958.**

10. In the principal Act, in the proviso to section 32, in ~~sub~~ clause (a), for the words “one month”, the words “sixty days” shall be substituted.

**Amendment of
section 32A of
Bom. LX of
1958.**

11. In the principal Act, in section 32 A, in sub-section (3), for the words “of two hundred and fifty rupees” the words “of one thousand rupees” shall be substituted.

**Amendment of
section 33 of
Bom. LX of
1958.**

12. In the principal Act, in section 33, after sub-section (3), the following sub-sections shall be added, namely:-

“(4) Where deficiency in stamp duty is noticed from the copy of an instrument, the Collector may *suo motu* or on a reference from any Court or any Authority or by any person in that behalf, the collector shall call for the original instrument for the purpose of satisfying himself as to the adequacy of the duty paid thereon, and the instrument so produced before the Collector shall be deemed to have been produced, or come before him in the performance of his functions

(5) In case the instrument is not produced within the period specified by the Collector, collector shall impound the copy of instrument, he shall require the payment of the proper duty or the amount required to make up the same, together with penalty under Section 39(1)(b) on the copy of the instrument.”.

13. In the principal Act, in section 34, in the proviso, in clause (a) for the words, “together with a penalty of five rupees, or when ten times the amount of the proper duty or deficient portion thereof exceeds five rupees, of a sum equal to ten times such duty or portion” the words and brackets “together with a penalty as per clause (b) of sub-section (1) of section 39 of the Act.

**Amendment of
section 34 of
Bom. LX of
1958.**

14. In the principal Act, in section 39, in sub-section (1),-

(1) for clause (b), the following clause shall be substituted, namely:-

**Amendment of
section 39 of
Bom. LX of
1958.**

“(b) if he is of the opinion that such instrument is chargeable with duty and is not duly stamped, he shall require the payment of the proper duty or the amount required to make up the same, together with,-

(i) If the person voluntarily produce the instrument before the collector, for the payment of deficit stamp duty, penalty of an amount equal to 2 per cent. of the deficient portion of the stamp duty, for every month or part thereof from the date of execution of the instrument subject to the payment of minimum penalty of rupees three hundred:

Provided that in no case, the amount of the penalty shall exceed four times the deficient portion of the stamp duty.

(ii) If the Collector may *suo motu* or on a reference from any Court or any Authority or by any person in that behalf, penalty of an amount equal to 3 per cent. of the deficient portion of the stamp duty, for every month or

part thereof from the date of execution of the instrument subject to the payment of minimum penalty of rupees three hundred:

Provided that in no case, the amount of the penalty shall exceed six times the deficient portion of the stamp duty.”;

(2) before the existing proviso, the following provisos shall be inserted, namely:-

“Provided that,

(a) duty for which reduction or remission is granted by the Government under clause (a) of section 9 under any prevailing policy, the time period between the date of reduction or remission and date of application filed for surrender or de-notified from the policy, shall not be treated as deficient portion of duty for the purpose of calculation of penalty, if the beneficiary of such reduction or remission in duty surrenders or forgoes or has surrendered or forgone such benefit with prior approval or with no objection from the Government; and

(b) a period between the date of original instrument presented before collector and the date of order by collector shall be subtracted for penalty under this section:

(3) in the existing proviso to sub-section (1), for the words “Provided that”, the words “Provided also” shall be substituted.

**Amendment of
section 49 of
Bom. LX of
1958.**

15. In the principal Act, in section 49, for the words “without limit of time,” the words “within six months from the date of purchase of impressed stamps” shall be substituted.

**Amendment of
section 51 of
Bom. LX of
1958.**

16. In the principal Act, in section 51, for the word “deducting”, the words “deducting, subject to minimum three hundred rupees,” shall be substituted.

**Amendment of
section 52 of
Bom. LX of
1958.**

17. In the principal Act, in section 52, for the word “deduction ten naya paisa for each rupee”, the words “deduction, subject to minimum three hundred rupees, ten naya paisa for each rupee” shall be substituted.

18. In the principal Act, in section 62A, -

**Amendment of
section 62A of
Bom. LX of
1958.**

- (1) in clause (i), for the words “five hundred rupees”, the words “twenty five thousand rupees” shall be substituted;
- (2) in clause (ii), for the words “one thousand rupees, but which shall not be less than two hundred rupees”, the words “fifty thousand rupees, but which shall not be less than ten thousand rupees” shall be substituted;
- (3) in clause (iii), for the words “two thousand rupees”, the words “one lakhs rupees” shall be substituted.

19. In the principal Act, after section 67, the following sections shall be inserted, namely: -

**Insertion of new
sections 67A and
67B in Bom. LX
of 1958.**

**Obligation
to furnish
information.**

“67A. (1) Any such individual, institution, organization, company or a body responsible for creating, executing, maintaining, recording, verifying an instrument chargeable with duty shall, when called upon by any officer specifically authorized by the Chief Controlling Revenue Authority or Collector in this behalf, furnish information in the form and within the time limit specified by the Chief Controlling Revenue Authority or Collector.

(2) Any such individual, institution, organization, company or a body responsible to furnish the information under sub-section (1) fails to furnish the same within the specified time, the Chief Controlling Revenue Authority or any other officer authorized by him in this behalf, direct such defaulter to pay by way of penalty, a sum up to ten thousand for each failure.

**Powers for
omission to
comply with
provision of
section 30A.**

67B. In case of non-fulfillment of responsibility by the Institution, Board, etc. referred to in section 10A, by giving such institutions an opportunity to be heard, the Collector shall impose penalty from Rs. 1000/- to Rs. 10,000/- in each case on merits and demerits of the case on negligence by institutes to recover stamp duty.”.

20. In the principal Act, in section 68, -

**Amendment of
section 68 of
Bom. LX of
1958.**

- (i) in sub-section (1), after the words "with any such instrument", the words "including such instrument" shall be inserted;
- (ii) in sub-section (2), for the words "maintaining such registers", the words "maintaining such instrument, registers" shall be substituted.

Insertion of new sections 68A in Bom. LX of 1958.

21. In the principal Act, after section 68, the following section shall be inserted, namely:-

Prevention or obstruction of an officer to be an offence.

“68A. If any person prevents or obstructs entry of any officer authorized under section 68 or fails to give any reasonable assistance to him, he shall, on conviction, be punished with imprisonment for a term which shall not be less than one month, but which may extend to six months and with fine which may extend to rupees ten thousand.”.

Amendment of section 70 of Bom. LX of 1958.

22. In the principal Act, in section 70, for the words “five hundred rupees”, the words “an amount equal to two times of deficit duty” shall be substituted.

Amendment of Schedule I to Bom. LX of 1958.

23. In the principal Act, in Schedule 1,-

(1) in article 5, after clause (gb), the following clauses shall be inserted namely:-

“(gc) project under Built, Operate and Transfer (BOT) system, or concession agreement or any project built under other mode of public private partnership which are not covered under any other existing article, whether with or without toll or free collection rights, -	subject to maximum twenty-five lakhs rupees and minimum Five thousand rupees, 0.10 percent of the amount agreed in the contract.”:
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(2) in article 6,-

(a) in clause(1), in sub-clause (a), for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy-five lakhs rupees in case of consortium bank
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“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	twenty-five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.”;

(b) in clause (2), for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy-five lakhs rupees in case of consortium bank
“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	twenty five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.”;

(3) in article 12, in column 2, for the words “subject to maximum of five lakhs rupees,” the words “subject to maximum of fifteen lakhs rupees,” shall be substituted.

(4) in article 14, for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy five lakhs rupees in case of consortium bank
“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	Twenty-five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.

(5) in article 20, in clause (d), -

(i) in column (1), for the portion beginning with the word “CONVEYANCE” and ending with the words and figures “the Companies Act, 1956”, the following portion shall be substituted, namely: -

“every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); or every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; or every order made by the Board for Industrial and Financial Reconstruction under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by ministry of finance or under any prevailing law by any

authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes etc."

(ii) in column (2), for the words "Subject to maximum twenty –five crores rupees", the words "Subject to maximum fifty crores rupees and minimum ten thousand rupees for each transferor or transferee" shall be substituted;

(iii) in column (2) in sub-clause (i), after the words "amalgamation", the words "merger, demerger, arrangement or reconstruction" shall be inserted;

(iv) in *Explanation III*, for clause (c), the following clause shall be substituted, namely: -

"(c) Where the transferee company and transferor company, whose shares are not listed or listed but not quoted for trading on stock exchange means the market value of the shares issued or allotted with reference to the market value of the share of the transferee company or as determined by the collector after giving the transferee company an opportunity of being heard.";

(2) in article 27, in clause (b), for item (ii), the following item shall be substituted, namely:-

"(ii) if possession is not so given.	Subject to maximum of seventy- five lakhs rupees in case of consortium bank
	(a)where the amount of further charge secured by such instrument does not exceed Rs. 1,00,00,000/- Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
	(b)where the amount of further charge secured by such instrument exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/- twenty-five paise for every hundred rupees or part thereof.
	(1) where the amount of further charge secured by such instrument exceeds Rs. 10,00,00,000/-,

	Subject to maximum of fifteen lakhs rupees fifty paise for every hundred rupees or part thereof.”;
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(6) in article 30, in clause (a),

- (i) for items (i) to (viii), the following items shall be substituted, namely: -

“(i) Where the lease purports to be for a term of less than one year.	Residential property – Rs.500/- Commercial property-Rs.1000/-
(ii)Where the lease purports to be for a terms of not less than one year but not more than five years	Residential property – Minimum of Rs.1000/- Commercial property- Minimum of Rs.5000/- One rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved
(iii)Where the lease purports to be for a terms in excess of five years but not more than fifteen years	Subject to Minimum of Rs.10,000/- Two rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved
(iv)Where the lease purports to be for a terms in excess of fifteen years but not more than thirty years	Subject to Minimum of Rs.20,000/- Three rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved
(v)Where the lease purports to be for a terms in excess of thirty years but not more than ninety nine years	2.5 per cent. for the amount of consideration or as the case may be, the market value of the property, whichever is higher.

(vi)Where the lease purports to be for a terms in excess of ninety nine years	The same duty as is leviable on a conveyance under article-20 market value of the property which is the subject matter of the lease or the amount of consideration, whichever is higher.”;
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- (ii) for Explanation II, the following Explanation shall be substituted, namely:-

“Explanation II. - For the purpose of sub-clauses (v) and (vi) of clause (a) of this article, consideration means the amount paid as deposit or premium or advance rent or an amount of average annual rent etc.”;

- (8) article 30A shall be deleted;
- (9) in article 36, in clause (c), in column 2, for the words “Five rupees for every sum Rs. 1000 secured or part thereof”, the words “Five Thousand rupees” shall be substituted;
- (10) in article 49, in clause (a), in column 1, after the word “daughter of pre-deceased son”, the words “or daughter of pre-deceased daughter or son of pre-deceased daughter” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to amend the Gujarat Stamp Act, 1958, with a view to giving effect to the proposal contained in the Budget Speech of the Finance Minister in the Gujarat Legislative Assembly on the 20th February, 2025.

BALVANTSINH RAJPUT,

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill provides for delegation of legislative power in the following respects:--

Clause 1. — Sub-clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the said Act shall come into force.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

Dated the 20th March, 2025.

BALVANTSINH RAJPUT.

ANNEXURE

EXTRACT FROM THE GUJARAT STAMP ACT, 1958.

(Bom. LX of 1958)

2. In this Act, unless there is anything repugnant in the subject or context,-

Definitions.

(a) to (f) XXX XXX XXX

(g) “conveyance” includes, -

(i) to (iii) XXX XXX XXX

18 of 2013.

(iv) every order made by the National Company Law Tribunal under section 232 of the Companies Act, 2013 in respect of a scheme for reconstruction of the company or companies involving merger or the amalgamation of any two or more companies and every order made by the Reserve Bank of India under

10 of 1949.

section 44 A of the Banking Regulation Act, 1949 in respect of amalgamation or dissolution of Banking companies, or

(v) XXX XXX XXX

Explanation.- For the purposes of this clause, an instrument whereby a co-owner of any property transfers his interest to another co-owner of the property and which is not an instrument of partition shall be deemed to be an instrument by which property is transferred inter vivos;

(h) to (u) XXX XXX XXX

3. Subject to the provisions of this Act and the exemptions contained in Schedule I, the following instruments shall be chargeable with duty of the amount indicated in Schedule I as the proper duty therefore respectively, that is to say-

Instruments chargeable with duty.

(a) to (b) XXX XXX XXX

Provided that no duty shall be chargeable in respect of-

(1) any instrument executed by or on behalf of, or in favour of, the Government in cases where, but for this exemption, the Government would be liable to pay the duty chargeable in respect of such instrument;

(2) any instrument for the sale, transfer or other disposition, either absolutely or by way of mortgage or otherwise, of any ship or vessel, or any part, interest, share or property of or in ship or vessel registered under the Bombay Coasting Vessels Act, 1838, or the Indian Registration of Ships Act, 1841.

XIX of 1838.

X of 1841.

**Instruments
chargeable
with additional
duty.**

3A. Every instrument chargeable with duty and described in the following articles of Schedule I when executed in respect of the property situated in the state shall, in addition to such duty, be chargeable with a duty at the rate of forty per cent, including rate of stamp duty to be increased as provided for in sections 201 and 209 of the Gujarat Panchayat Act, 1993 of such duty, namely:-

Guj. 18 of 1993.

(1) No. 17 (Certificate of sale),

(2) No. 20(a), 20(b) and 20(c) (conveyance),

(3) No. 26 (Exchange of Property),

(4) No. 27 (Further Charge),

(5) No. 28 (Gift),

(6) No. 30 (Lease),

(7) No. 36 (Mortgage-deed),

(8) No. 45(f) (Power of Attorney when given for consideration and authorising the attorney to sell any immovable property),

(9) No. 52 (Settlement),

(10) No. 57 (Transfer of lease)

(2) Except as otherwise provided in sub-section (1), the provisions of this Act and the rules made thereunder shall, so far as may be, apply in relation to the additional duty chargeable under sub-section (1) as they apply in relation to the duty chargeable under section 3.

17. All instruments chargeable with duty and executed by any person in this State shall be stamped before or at the time of execution or immediately thereafter on the next working day following the day of execution:

**Instruments
executed in
State.**

Provided that the clearance list described in Articles 18A, 18B, 18C, 18D or 18E of Schedule I may be stamped by an officer authorised by the State Government by rules made under this Act, if such clearance list is submitted for stamping by the clearing house of an Association in accordance with its rules and bye-laws with the requisite amount of stamp duty, within two months from the date of its execution.

Provided further that the instrument, so far as it relates to an order of,-

18 of 2013.

(i) the National Company Law Tribunal under section 232 of the Companies Act, 2013 in respect of a scheme for reconstruction of the company or companies involving merger or the amalgamation of any two or more companies;

10 of 1949.

(ii) the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949 in respect of amalgamation or dissolution of Banking companies, shall be stamped within thirty days from the date of such order of the National Company Law Tribunal or, as the case may be, the order of the Reserve Bank of India.

31. (1) When any instrument, whether executed or not and whether previously stamped or not, is brought to the Collector, and the person bringing it applies to have the opinion of that officer as to the duty (if any) with which it is chargeable, and pays a fee of such amount not exceeding one hundred rupees and not less

**Adjudication
as to proper
stamps.**

than twenty-five rupees as the Collector may, in each case direct, the Collector shall determine the duty (if any) with which in his judgement, the instrument is chargeable.

(2) and (3) XXX XXX XXX

**Certificate by
Collector.**

32. (1) to (3) XXX XXX XXX

Provided that nothing in this section shall authorise the Collector to endorse-

(a) any instrument executed or first executed in the State and brought to him after the expiration of one month from the date of its execution or first execution, as the case may be;

(b) any instrument executed or first executed out of the State and brought to him after the expiration of three months after it has been first received in this State; or

(c) any instrument chargeable with the duty of twenty naye paise or less when brought to him, after the drawing or execution thereof, on paper not duly stamped.

**Determination
of market
value of
property which
is the subject
matter of
conveyance,
etc.**

32A. (1) and (2) XXX XXX XXX

(3) Upon such determination, the Collector of the district shall require the party liable to pay the duty, to make payment of such amount as is required to make up the difference between the amount duty determined under this sub-section and the amount on of duty already paid by him and shall also require such party to pay a penalty of two hundred and fifty rupees or the amount of the proper duty or of the deficient portion there of whichever is less and on such payment, return the instrument to the officer referred in sub-section (5) of section 31 or, as the case may be, sub-section (1) of this section.

(4) XXX XXX XXX

34. No instrument chargeable with duty (not being an instrument referred to in sub-section (1) of section 32A), shall be admitted in evidence for any purpose by any person having by law or consent of parties authority to receive evidence, or shall be acted upon, registered or authenticated by any such person or by any public officer unless such instrument is duly stamped:

Instruments not duly stamped in-admissible in evidence etc.

Provided that-

- (a) any such instrument not being an instrument chargeable with a duty of twenty naye paise and less shall, subject to all just exceptions, be admitted in evidence on payment of the duty with which the same is chargeable, or in the case of an instrument insufficiently stamped, of the amount required to make up such duty, together with a penalty of five rupees, or, when ten times the amount of the proper duty or deficient portion thereof exceeds five rupees, of a sum equal to ten times such duty or portion;

(b) to (d) XXX XXX XXX

39. (1) When the Collector impounds any instrument under section 33, or receives any instrument send to him under sub-section (2) section 37, not being an instrument chargeable with a duty of twenty naye paise, or less, he shall adopt the following procedure: -

Collector's power to stamp instruments impounded.

(a) XXX XXX XXX

- (b) if he is of opinion that such instrument is chargeable with duty and is not duly stamped he shall require the payment of the proper duty or the amount required to make up the same, together with a penalty of five rupees; or, if he thinks fit, an amount not exceeding ten times the amount of the proper duty or of the deficient portion therefore, whether such amount exceeds or falls short of five rupees:

Provided that, when such instrument has been impounded only because it has been written in contravention of section 13 or section 14, the Collector may, if he thinks fit, remit the whole penalty prescribed by this section.

(2) and (3) XXX XXX XXX

Allowance in case of printed forms no longer required by corporations.

49. The Chief Controlling Revenue Authority or the Collector if empowered by the Chief Controlling Revenue Authority in this behalf may, without limit of time, make allowance for stamped papers used for printed forms of instruments by any banker or by any incorporated company or other body corporate, if for any sufficient reason such forms have ceased to be required by the said banker company or body corporate:

Provided that such authority is satisfied that the duty in respect of such stamped papers has been duly paid.

Allowance for spoiled or misused stamp-how to be made.

51. In any case in which allowance is made for spoiled or misused stamps the Collector may give in lieu thereof-

- (a) other stamps of the same description and value; or,
- (b) if required and he thinks fit, stamps of any other description to the same amount in value; or,
- (c) at his discretion, the same value in money, deducting ten naye paise for each rupee or fraction of a rupee.

Allowance for stamps not required for use.

52. When any person is possessed of a stamp or stamps which have not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Collector shall repay to such person the value of such stamp or stamps in money, deducting ten naye paise for each rupee or portion of a rupee, upon such person delivering up the same to be cancelled, and proving to the Collector's satisfaction-

(a) that such stamp or stamps were purchased by such person with a *bona fide* intention to use them; and

(b) that he has paid the full price thereof; and

(c) that they were so purchased within the period of six months next preceding the date on which they were so delivered:

Provided that, where the person is a licensed vendor of stamps, the Collector may if he thinks fit, make the repayment of the sum actually paid by the vendor without any such deduction as aforesaid.

62A. Any person who commits a breach of the provisions of sub-section (2) of section 68 shall on conviction, be punished -

Penalty for breach of provisions of section 68, sub-section (2).

(i) for a first offence with fine which may extend to five hundred rupees;

(ii) for a second offence, with fine which may extend to one thousand rupees, but which shall not be less than two hundred rupees, and

(iii) for a third and subsequent offences, with imprisonment for a term which may extend to two years and with fine which may extend to two thousand rupees.

68. (1) The Collector may, where he has reason to believe that all or any of the instruments specified in Schedule I have not been charged at all or incorrectly charged with duty leviable under this Act, authorise in writing any officer to enter upon any premises where he has reason to believe that any registers, books, records, papers, documents, or proceedings relating to or in connection with any such instruments are kept and to inspect them, and to take such notes and extracts as such officer deems necessary, and if necessary, to seize them and to impound them under section 33.

Collector's power to authorise officer to enter premises and inspect certain documents.

(2) Every person having in his custody or maintaining such registers, books, records, papers, documents or proceedings shall, when so required by the officer

authorised under sub-section (1), produce them before such officer and at all reasonable times permit such officer to inspect them and take the notes and extracts as he may deem necessary.

Power to make rule generally to carry out purpose of Act.

70. The State Government may make rules to carry out generally the purposes of this Act, and may by such rules prescribed the fines, which shall in no case exceed five hundred rupees, to be incurred on breach thereof.

SCHEDULE I.

STAMP DUTY ON INSTRUMENTS.

(See section 3)

	Description of Instrument	Proper Stamp Duty
6.	<p>AGREEMENT OR MEMORANDUM OF AGREEMENT RELATING TO DEPOSIT OF TITLE DEEDS, PAWN, PLEDGE OR HYPOTHECATION.</p> <p>that is to say any instrument evidencing an agreement or memorandum of agreement relating to –</p> <p>(1) the deposit of title deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), where such deposit has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt-</p> <p>(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement. -</p>	

	<p>(i) where the amount of loan or debt does not exceed Rs. 10,00,00,000</p> <p>(ii) where it exceeds Rs. 10,00,00,000</p> <p>(b) xxx xxx xxx</p>	<p>Subject to maximum of one lakh rupees, twenty-five paise for every hundred rupees or part thereof.</p> <p>Subject to maximum of three lakh rupees, fifty paise for every hundred rupees or part thereof.</p>
	<p>(2) the pawn, pledge or hypothecation of movable property, where such pawn, pledge or hypothecation has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt -</p>	
	<p>(i) where the amount of loan or debt does not exceed Rs. 10,00,00,000.</p>	<p>Subject to maximum of one lakh rupees, twenty-five paise for every hundred rupees or part thereof.</p>
	<p>(ii) where it exceeds Rs. 10,00,00,000</p>	<p>Subject to maximum of three lakh rupees, fifty paise for every hundred rupees or part thereof.</p>
12.	<p>ARTICLES OF ASSOCIATION OF A COMPANY –</p> <p>Where the Company has no share capital or nominal share capital.</p>	<p>Subject to maximum of five lakhs rupees, fifteen paise for every hundred rupees or part thereof.</p>

18 of 2013	<p style="text-align: center;">Exemption</p> <p>Articles of Association of any company not formed for profit and registered under section 8 of the Companies Act, 2013.</p> <p>See also Memorandum of Association (No. 35).</p> <p>ASSIGNMENT See Conveyance (No. 20), Transfer (No. 56) and Transfer of Lease (No. 57) as the case may be.</p> <p>ATTORNEY, See Power of Attorney (No. 45).</p> <p>AUTHORITY TO ADOPT, See Adoption Deed (No. 3).</p>	
14. Guj. 4 of 2004	BOND as defined by section 2 (c) not being a debenture and not being otherwise provided for by this Act, or by the Gujarat Court-fees Act, 2004, if the amount or value secured by the bond –	
	(i) does not exceed Rs. 10,00,00,000	Subject to maximum of one lakh rupees, twenty-five paise for every hundred rupees or part thereof.
	(ii) where it exceeds Rs. 10,00,00,000	Subject to maximum of three lakh rupees, fifty paise for every hundred rupees or part thereof.
	See Administration Bond (No. 2), Bottomry Bond (No. 15), Customs Bond or	

	Excise Bond (No. 23), Indemnity Bond (No. 29), Respondentia Bond (No. 50), Security Bond (No. 51)	
	<p style="text-align: center;">Exemption</p> <p>Bond, when executed by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility, shall not be less than a specified sum per mensem.</p>	
20.	(a) to (c) xxx xxx xxx	
18 of 2013 10 of 1949	<p>(d) CONVEYANCE, so far as it relates to the scheme, for reconstruction of the company or companies involving merger or the amalgamation of any two or more companies by an order of the National Company Law Tribunal under section 232 of the Companies Act, 2013 or for amalgamation or dissolution of Banking Companies by an order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949.</p> <p>Explanation I – xxx xxx xxx</p> <p>Explanation II - xxx xxx xxx</p> <p>Explanation III - for the purpose of clause (d), the market value of share-</p> <p>(a) in relation of the transferee company whose shares are listed and quoted for trading on a stock exchange, means the</p>	<p>Subject to maximum twenty-five crores rupees –</p> <p>(i) an amount equal to one per cent of the aggregate amount comprising of the market value of share issued or allotted in exchange of or otherwise, or the face value of such shares, whichever is higher and the amount of consideration, if any, paid for such amalgamation, or</p> <p>(ii) an amount equal to one percent of the true market value of the immovable property situated in the State of Gujarat of the transferor Company whichever is higher.</p>

	<p>market value of share as on the appointed date mentioned in the scheme of amalgamation or when appointed date is not so fixed, the date of order of the National Company Law Tribunal or, as the case may be, the order of the Reserve Bank of India.</p> <p>(b) In relation to the transferee company, whose shares are not listed or listed but not quoted for trading on a stock exchange means the market value of the share issued or allotted with reference to the market value of share of the transferor company.</p> <p>(c) Where the transferee company and transferor company, whose shares are not list or not listed but not quoted for trading on stock exchange means the face value of the share issued or allotted with reference to the face value of share of the transferee company.</p>	
27	<p>FURTHER CHARGE,- Instrument of, that is to say, any instrument imposing a further charge on mortgaged property-</p> <p>(a) xxx xxx xxx</p> <p>(b) when such mortgage is one of the description referred to in clause (b) of Article 36 (that is, with possession)-</p>	

	(i) xxx xxx xxx	
	(ii) if possession is not so given.	<p>(a) where the amount of further charge secured by such instrument does not exceed Rs. 10,00,00,000/-. Twenty-five paise for every hundred rupees or part thereof;</p> <p>(b) where the amount of further charge secured by such instrument exceeds Rs. 10,00,00,000/- subject to maximum of eight lakh rupees, fifty paise for every hundred rupees or part thereof.</p>
30	<p>LEASE, including an under lease or sub-lease and any agreement to let or sub-let-</p> <p>(a) Where by such lease the rent is fixed and no premium is paid or delivered-</p>	
	(i) Where the lease purports to be for a term of less than one year.	One Rupee for every hundred rupees, or part thereof or the whole amount payable or deliverable under such lease.

	(ii) Where the lease purports to be for a term of not less than one year but not more than three years;	Two Rupees for every hundred rupees, or part thereof for the amount or value of the average annual rent reserved.
	(iii) Where the lease purports to be for a term in excess of three years but not more than ten years;	The same duty as is leviable on a conveyance under Article 20 for the amount or value of the average annual rent reserved.
	(iv) Where the lease purports to be for a term in excess of ten years but not more than thirty years;	The same duty as is leviable on a conveyance under Article 20 for twice the amount or value of the average annual rent reserved.
	(v) Where the lease purports to be for a term in excess of thirty years but not more than ninety eight years;	The same duty as is leviable on a conveyance under Article 20 for thrice the amount or value of the average annual rent reserved.
	(vi) Where the lease purports to be for a term in excess of ninety eight years;	The same duty as is leviable on a conveyance under Article 20 for five times the amount or value of the average annual rent reserved.
	(vii) Where the lease purports to be in perpetuity;	The same duty as is leviable on a conveyance under Article 20 for one fifth

		of the whole amount or rents which would be paid or delivered in respect of the first fifty years of the lease.
	(viii) Where the lease does not purports to be for any definite term;	The same duty as is leviable on a conveyance under Article 20 for the amount or value of the average annual rent which would be paid or delivered for the first ten years if the lease continued so long.
	<p>(b) to (d) xxx xxx xxx</p> <p>Explanation I - xxx xxx xx</p> <p>Explanation II - When a lessee undertakes to pay any recurring charge such as Government revenue, landlord's share of cesses, or the owner's share of municipal rates of taxes, which is by law recoverable from the lessor, the amount so agreed to be paid by the lessee, shall be deemed to be part of the rent.</p>	
30A	LEAVE AND LICENCE AGREEMENT relating to immovable property other than the residential property.	Fifty paise for every hundred rupees or part thereof on the whole amount payable or deliverable plus the total amount of fine or premium or money advanced or to be advanced irrespective of the period for which

		such leave and licence agreement is executed.
36	<p>MORTGAGE - DEED, not being an Agreement relating to Deposit of Title-Deeds, Pawn or Pledge (No. 6), Bottomry Bond (No. 15), Mortgage of a Corp (No. 37), Respondent Bond (No. 50) or Security Bond (No. 51),-</p> <p>(a) and (b) xxx xxx xxx</p>	
	(c) when a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above mentioned purpose where the principal or primary security is duly stamped.	Five rupees for every sum Rs. 1000 secured or part thereof.
49.	RELEASE- that is to say, any instrument (not being such a release as is provided for by section 24) whereby a person renounces a claim upon another person or against any specified property.	
	(a) if the release deed of an ancestral property or part thereof is executed by or in favour of brother or sister (children of renouncer's parents) or son or daughter or son of pre-deceased son or daughter of pre-deceased son or father or mother or spouse of the renouncer or the legal heirs of the above relations;	Two hundred rupees
	(b) xxx xxx xxx	

GUJARAT LEGISLATURE SECRETARIAT

GUJARAT BILL NO. 10 OF 2025.

A B I L L

further to amend the Gujarat Stamp Act, 1958.

**[SHRI BALVANTSINH RAJPUT,
MINISTER FOR LABOUR, SKILL
DEVELOPMENT AND EMPLOYMENT]**

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**Chetan Pandya,
Incharge Secretary,
Gujarat Legislative Assembly.**