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తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-A EXTRAORDINARY
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TELANGANA BILLS
TELANGANA LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Telangana Legislative Assembly on 13th October, 2020.

L. A. BILL No. 19 OF 2020.

A BILL FURTHER TO AMEND THE INDIAN STAMP ACT, 1899 IN ITS APPLICATION TO THE STATE OF TELANGANA.

Be it enacted by the Legislature of the State of Telangana in the Seventy-first Year of the Republic of India as follows:-

1. (1) This Act may be called the Indian Stamp (Telangana Amendment) Act, 2020.

(2) It extends to the whole of the State of Telangana.

Short title,
extent and
commence-
ment.

[1]

B. 126(H)

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

Substitution
of section
47-A,
Central Act
2 of 1899.

2. In the Indian Stamp Act, 1899 as in force in the State of Telangana, for section 47-A, the following section shall be substituted, namely,-

"Instruments of conveyance, etc., valuation how to be dealt with.

47-A. Any instrument of conveyance, exchange, gift, partition, settlement, release, agreement relating to construction, development or sale of any immovable property or power of attorney given for sale, development of immovable property, or any such instrument which is subject to market value under Schedule-I A shall be presented for registration before the registering officer appointed under the Registration Act, 1908, only after payment of the full amount of the Stamp Duty payable on the consideration value of the property set forth in the instrument or the market value determined as per the Market Value Guidelines prescribed by the Government from time to time, whichever is higher:

Central Act
16 of 1908.

Provided that in respect of instruments executed by or on behalf of the Central Government or the State Government or any authority or body incorporate by or under any law for the time being in force and wholly owned by Central or State Government, the market value of any property shall be the value shown in such instrument.

STATEMENT OF OBJECTS AND REASONS

The Government with an intent to bring transparency in the registration and mutation process in respect of agricultural lands, have enacted the Telangana Rights in Land and Pattadar Passbooks Act, 2020 (Act No.9 of 2020). As per this Act, the agricultural lands are going to be registered by the Joint Sub-Registrar/Tahsildar concerned; and after registration, mutation takes place immediately. Likewise, the Telangana Municipalities Act, 2019 (Act No.11 of 2019) has been amended empowering the Sub-Registrar to mutate ownership records of municipality soon after registration.

Under the Telangana Rights in Land and Pattadar Passbooks Act, 2020, the citizen has to apply for registration through Dharani portal and select a time-slot after paying the full stamp duty. In respect of non-agricultural lands too, the department is planning to go for mandatory time-slot booking for registration of documents by the Sub-Registrar. Time-slots will be allotted after payment of full amount of stamp duty.

Section 47-A of Indian Stamp Act, 1899 in the present form gives discretion to the registering officer and option to the citizen to pay lesser duty disputing the market value fixed by the Committee; and after presentation of the document, the same can be referred to the Collector (presently, Commissioner & Inspector General (C&IG)) for determination of the market value. This process has been creating discretionary powers to the registering officers. Further, this provision of law is not completely consonant with the new system of time-slot booking through online Dharani portal and also to remove the discretionary powers of the registering officers.

Therefore, the present section 47-A needs to be suitably amended, so as to bring it in conformity with the legal frame work under the Telangana Rights in Land and Pattadar Passbooks Act, 2020 as well as the proposed system of mandatory slot-booking in respect of non-agricultural lands.

Hence, the proposed amendment to section 47-A.

K. CHANDRASEKHAR RAO,
Chief Minister.

FINANCIAL MEMORANDUM

The proposed "The Indian Stamp (Telangana Amendment) Bill, 2020" does not involve any recurring or non-recurring expenditure to the State.

K. CHANDRASEKHAR RAO,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(3) and 2 of the Bill authorizes the Government to issue notifications or to make rules in respect of matters specified therein and generally to carry out the purposes of Act. All such rules so made or notifications issued which are intended to cover matters mostly of procedural in nature are to be laid on the table of the State Legislature and will be subject to any modifications made by the State Legislature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure.

K. CHANDRASEKHAR RAO,
Chief Minister.

**MEMORANDUM UNDER RULE 95 OF THE RULES OF
PROCEDURE AND THE CONDUCT OF BUSINESS IN
THE TELANGANA LEGISLATIVE ASSEMBLY.**

The Indian Stamp (Telangana Amendment) Bill, 2020, after it is passed by the State Legislature may be reserved by the Governor for the consideration and assent of the President under article 254(2) of the Constitution of India.

K. CHANDRASEKHAR RAO,
Chief Minister.

Dr. V. NARASIMHA CHARYULU,
Secretary to State Legislature.