

TRIPURA GAZETTE



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PART--IV-- Bills introduced in the Tripura Legislative Assembly : Report of Selection Committees presented or to be presented to the Assembly; and Bills published before introduction in that Assembly.

TRIPURA LEGISLATIVE ASSEMBLY

SECRETARIAT

NEW CAPITAL COMPLEX

AGARTALA, TRIPURA, PIN-799010


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No.F.7(13-27)-LA/2023/3121

Dated, Agartala, the 25th March, 2023.

NOTIFICATION

“ As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, “**The Indian Stamp (Tripura Sixth Amendment) Bill, 2023 (The Tripura Bill No. 8 of 2023)**” as introduced in the Assembly on the **24th March, 2023** to be published in the Tripura Gazette.”


(B.P. Karmakar)

Secretary
Tripura Legislative Assembly

THE INDIAN STAMP (TRIPURA SIXTH AMENDMENT) BILL, 2023

**A
BILL**

Further to amend the Indian Stamp Act, 1899 (2 of 1899), in its application to the State of Tripura.

BE it enacted by the Legislative Assembly of Tripura in the Seventy Fifth year of the Republic of India as follows:-

Short title, and

Commencement: 1. (1) This Act may be called the “Indian Stamp (Tripura Sixth Amendment) Act, 2023”.
(2) It shall come into force from the date of its publication in the Tripura Gazette.

Application of Act: - 2. The Indian Stamp Act, 1899 (here in after referred to as the Principal Act) as in force in the State of Assam and as extended to the State of Tripura, shall, in its application in Tripura be amended for the purpose and in the manner herein after provided.

Amendment of the Schedule:-

3. For item No.23- of Schedule-I of the Principal Act, as inserted by the following shall be substituted, namely:-

“23. Conveyance as defined by Section 2(10), not being a transfer charged or exempted under no. 62-

Description of instruments	Proper stamp duty
23. CONVEYANCE [as defined by section 2(10)] not being a Transfer charged or exempted under No. 62- (1) In case of transfer to a female or group of female persons. (2) In all other cases. Exemption Assignment of Copy Right under the Copy Right Act, 1957 (Act XIV of 1957) Co-Partnership Deed- see partnership (No.46)	(1) 4% of the amount of value of the consideration for such conveyance. (2) 5% of the amount of value of the consideration for such conveyance.

THE STATEMENT OF OBJECTS AND REASONS

The Indian Stamp (Tripura Sixth Amendment) Bill, 2023 (Tripura Bill No. 8 of 2023) is to permit and facilitate the lower rate of Stamp duty for women sections in registration of immovable /movable property with the aim to empower and strengthen the constitutional rights of women on the property rights in the State of Tripura. 1% stamp duty is proposed to be reduced for the instrument to be executed by female or a group of females and the existing rate of 5% stamp duty on the value of property shall continue to apply for all other cases.

2. The existing provision of payment of stamp duty as defined in “The Indian Stamp (Tripura Fifth Amendment) Act, 2020” provides fees for registration of document at flat rate @5% on the land valuation in general both for male and female. Thus, the existing provision does not provide relaxation for women from payment of Stamp duty.

3. The State Government of Tripura in Revenue Department has taken such policy for empowerment of women which will be helpful in protecting their constitutional rights over the property as defined in section 2(10) of the Indian Stamp Act. This will reduce the domestic violence cases against women as well.

4. The State Government has considered towards imposition of 2(two) levels of stamp duty: (i) in case of transfer of a land to a female or group of female persons, it shall be @ 4% (four percent), (ii) the existing rate of 5% (five percent) stamp duty on the value of property shall continue to apply for all other cases of conveyance.

5. With a view to achieve the above objectives, “The Indian Stamp (Tripura Sixth Amendment) Bill, 2023 (The Tripura Bill No. 8 of 2023)” is required.

(Prof. Dr. Manik Saha)
Chief Minister
Government of Tripura

THE TECHNICAL REPORT

The subject matter of “The Tripura Stamp Duty (Tripura Sixth Amendment) Bill, 2023” is relatable to Entry 18 of the State List (List-II) of the Seventh Schedule of the Constitution of India, and therefore, the State Legislature is competent to make a law on the subject.

2. None of the provisions of this Bill is repugnant to any provision of the existing central Act, 1899 on the same subject or the Constitution of India.

3. The Bill does not attract the proviso to clause (b) of article 304 of the Constitution of India and therefore, previous sanction of the President of India is not required for introducing or moving of the Bill in the State Legislature.

4. It is not a Money Bill within the meaning of Article 199(1) of the Constitution of India, nor is it a Financial Bill, as it will not involve any additional expenditure from the Consolidated Fund of the State, if enacted and brought into operation. It is therefore, prior recommendation of the Governor under clause (1) or (3) of Article 207 of the Constitution of India, is not required for introduction, moving or consideration of Bill in the House of the Legislature.

(Biswajit Palit)
L.R & Secretary
Law Department
Government of Tripura

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into force, there may be little financial implication on the State's consolidated fund, but it will have great social benefits in terms of women empowerment in the State.

No doubt, the BILL will help to female or female category in vesting their constitutional rights on property/properties.

The State Government is very hopeful that the BILL will be an instrument in reducing domestic violence among the women and it will bring great benefit to the whole society in the State.

(Puneet Agarwal)
Principal Secretary,
Revenue Department
Government of Tripura