

THE STAMP ACT, 1899

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THE STAMP ACT, 1899

ACT NO. II OF 1899

[27th January, 1899]

An Act to consolidate and amend the law relating to stamps.*

WHEREAS it is expedient to consolidate and amend the law relating to stamps: It is hereby enacted as follows:—

CHAPTER I
PRELIMINARY

Short title,
extent and
commencement

1. (1) This Act may be called the Stamp Act, 1899.
- (2) It extends to the whole of Bangladesh.
- (3) It shall come into force on the first day of July, 1899.

Definition

2. In this Act, unless there is something repugnant in the subject or context,—

“Banker”

- (1) “banker” include a bank and any person acting as a banker;

“Bill of exchange”.

- (2) “bill of exchange” means a bill of exchange as defined by the Negotiable Instruments Act, 1881, and includes also a hundi, and any other document entitling or purporting to entitle any person, whether named therein or not, to payment by any other person of, or to draw upon any other person for, any sum of money;

* Throughout the Act, the words “Bangladesh”, “Government”, “Taka” and “High Court Division” were substituted for the words “Pakistan” or “East Pakistan”, “Provincial Government” or “Central Government”, “rupee” or “rupees” or “Rs” and “High Court” respectively by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

"bill of exchange payable on demand" includes,—

(a) an order for the payment of any sum of money by a bill of exchange or promissory note, or for the delivery of any bill of exchange or promissory note in satisfaction of any sum of money, or for the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen;

(b) an order for the payment of any sum of money weekly, monthly or at any other stated periods; and

(c) a 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;

"bill of lading" includes a "through bill of lading," but does not include a mate's receipt;

"bond" includes—

(a) any instrument whereby a person obliges himself to pay money to another, on condition that the obligation shall be void if a specified act is performed, or is not performed, as the case may be;

(b) any instrument attested by a witness and not payable to order or bearer, whereby a person obliges himself to pay money to another; and

(c) any instrument so attested, whereby a person obliges himself to deliver grain or other agricultural produce to another;

"chargeable" means, as applied to an instrument executed or first executed after the commencement of this Act, chargeable under this Act, and, as applied to any other instrument, chargeable under the law in force in Bangladesh when such instrument was executed or, where several persons executed the instrument at different times, first executed;

"Bill of exchange payable on demand"

"Bill of lading"

"Bond"

"Chargeable"

- "Cheque"
- (7) "cheque" means a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand;
- (8) [Omitted by the Government of India (Adaptation of Indian Laws) Order, 1937.]
- "Collector"
- (9) "Collector"—
- (a) means the collector of a district; and
- (b) includes a Deputy Commissioner and any officer whom the Government may, by notification in the official Gazette, appoint in this behalf;
- "Conveyance"
- (10) "conveyance" includes a conveyance on sale and every instrument by which property, whether movable or immovable, is transferred *inter vivos* and which is not otherwise specifically provided for by Schedule I¹ [***];
- "Duly Stamped"
- (11) "duly stamped", as applied to an instrument, means that the instrument bears an adhesive or impressed stamp of not less than the proper amount, and that such stamp has been affixed or used in accordance with the law for the time being in force in Bangladesh;
- "Executed" and "Execution".
- (12) "executed" and "execution", used with reference to instruments, mean "signed" and "signature";
- "Impressed Stamp"
- (13) "impressed stamp" includes—
- (a) labels affixed and impressed by the proper officer; and
- (b) stamps embossed or engraved on stamped paper;
- "Instrument"
- (14) "instrument" includes every document by which any right or liability is, or purports to be, created, transferred, limited, extended, extinguished or recorded;

(a) "instrument of partition" means any instrument whereby co-owners of any property divide or agree to divide such property in severalty, and includes also a final order for effecting a partition passed by any Revenue-authority or any Civil Court and an award by an arbitrator directing a partition;

"Instrument of partition"

(b) "lease" means a lease of immovable property, and includes also—

"Lease"

(a) a patta;

(b) a kabuliyat or other undertaking in writing, not being a counterpart of a lease, to cultivate, occupy or pay or delivery rent for immovable property;

(c) any instrument by which tolls of any description are let;

(d) any writing on an application for a lease intended to signify that the application is granted;

(a) "marketable security" means a security of such a description as to be capable of being sold in any stock market in Bangladesh or in the United Kingdom;

"Marketable Security"

(1) "mortgagee-deed" includes every instrument whereby, for the purpose of securing money advanced, or to be advanced, by way of loan, or an existing or future debt, or the performance of an engagement, one person transfers, or creates, to, or in favour of, another, a right over or in respect of specified property;

"Mortgagee-deed"

(b) "paper" includes vellum, parchment or any other material on which an instrument may be written;

"Paper"

(2) "policy of insurance" includes—

"Policy of Insurance"

(a) any instrument by which one person, in consideration of a premium, engages to indemnify another against loss, damage or liability arising from an unknown or contingent event;

(b) a life-policy, and any policy insuring any person against accident or sickness, and any other personal insurance;

“Policy of sea-insurance” or “Sea-policy”.

(20) “policy of sea-insurance” or “sea-policy”–

- (a) means any insurance made upon any ship or vessel (whether for marine or inland navigation), or upon the machinery tackle or furniture of any ship or vessel, or upon any goods, merchandise or property of any description whatever on board of any ship or vessel, or upon the freight of, or any other interest which may be lawfully insured in, or relating to, any ship or vessel; and
- (b) includes any insurance of goods, merchandise or property for any transit which includes not only a sea risk within the meaning of clause (a), but also any other risk incidental to the transit insured from the commencement of the transit to the ultimate destination covered by the insurance;

Where any person, in consideration of any sum of money paid or to be paid for additional freight or otherwise, agrees to take upon himself any risk attending goods, merchandise or property of any description whatever while on board of any ship or vessel, or engages to indemnify the owner of any such goods, merchandise or property from any risk, loss or damage, such agreement or engagement shall be deemed to be a contract for sea-insurance;

“Power of Attorney”.

¹[(21) “power of attorney” means the power of attorney as defined in section 2, clause (1), of the Power of Attorney Act, 2012 (Act No. XXXV of 2012);]

“Promissory note”

(22) “promissory note” means a promissory note defined by the Negotiable Instruments Act, 1881; It also includes a note promising the payment of any sum of money out of any particular fund which may or may not be available, or upon any condition or contingency which may or may not be performed or happen;

¹ Clause (21) was substituted by section 2 অর্থ আইন, ২০১৩ (২০১৩ সনের ২৫নং আইন).

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- (23) "receipt" includes any note, memorandum or writing— "Receipt"
- (a) whereby any money, or any bill of exchange, cheque or promissory note is acknowledged to have been received, or
 - (b) whereby any other movable property is acknowledged to have been received in satisfaction of a debt, or
 - (c) whereby any debt or demand, or any part of a debt or demand, is acknowledged to have been satisfied or discharged, or
 - (d) which signifies or imports any such acknowledgement,

and whether the same is or is not signed with the name of any person;

- (24) "settlement" means any non-testamentary disposition, in "Settlement"
writing, of movable or immovable property made—
- (a) in consideration of marriage,
 - (b) for the purpose of distributing property of the settler among his family or those for whom he desires to provide, or for the purpose of providing for some person dependent on him, or
 - (c) for any religious or charitable purpose;

and includes an agreement in writing to make such a disposition and, where any such disposition has not been made in writing, any instrument recording, whether by way of declaration of trust or otherwise, the terms of any such disposition; and

- (25) "Soldier" includes any person below the rank of non- "Soldier"
commissioned officer who is enrolled under the '[***]
Army Act, 1952.

The words, comma and figure "Indian Army Act, 1911 or the Pakistan" were omitted by section 3 and 2nd Schedule of Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

CHAPTER II

STAMP-DUTIES

A.— Of the Liability of Instruments of Duty

Instruments chargeable with duty.

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 that schedule as the proper duty therefore, respectively, that is to say—

- (a) every instrument mentioned in that schedule which, not having been previously executed by any person, is executed in Bangladesh on or after the first day of July, 1899;
- (b) every bill of exchange payable otherwise than on demand or promissory note drawn or made out of Bangladesh on or after the day on which it is accepted or paid, or presented for acceptance or payment, or endorsed, transferred, or otherwise negotiated, in Bangladesh;
- (c) every instrument (other than a bill of exchange or promissory note mentioned in that schedule, which, not having been previously executed by any person, is executed out of Bangladesh on or after the day on which it relates to any property situate, or to any matter or thing which may be done, in Bangladesh and is received in Bangladesh.

[* * *]

Provided also 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, absolutely or by way of mortgagee or otherwise, of any vessel, or any part, interest, share or property of or in any vessel registered under the

¹ The first proviso of section 3 was omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

[Merchant Shipping Ordinance, 1983 (XXVI of 1983)].

4. (1) Where, in the case of any sale, mortgagee or settlement, several instruments are employed for completing the transaction, the Principal instrument only shall be chargeable with the duty prescribed in Schedule I for the conveyance, mortgagee or settlement, and each of the other instruments shall be chargeable with a duty of ³[three hundred Taka] instead of the duty (if any) prescribed for it in that Schedule.]

Several instruments used in single transaction of sale, mortgagee or settlement

(2) The parties may determine for themselves which of the instruments so employed shall, for the purposes of sub-section 4, be deemed to be the principal instrument:

Provided that the duty chargeable on the instrument so determined shall be the highest duty which would be chargeable in respect of any of the said instruments employed.

5. Any instrument comprising or relating to several distinct matters shall be chargeable with the aggregate amount of the duties with which separate instruments, each comprising or relating to one of such matters, would be chargeable under this Act.

Instruments relating to several distinct matters

6. Subject to the provisions of the last preceding section, an instrument so framed as to come within two or more of the descriptions in Schedule I ⁴[***] shall, where the duties chargeable thereunder are different, be chargeable only with the highest of such duties:

Instruments coming within several descriptions in Schedule I

Provided that nothing in this Act contained shall render

The words, comma, figures and brackets "Merchant Shipping Ordinance, 1983 (XXVI of 1983)" were substituted for the words, commas, figures "Merchant Shipping Act, 1894, or under Act XIX of 1838 or the Registration of Ships Act, 1841, as amended by subsequent Acts" by section 2 of the Stamp (Amendment) Ordinance, 1986 (Ordinance No. XIV of 1986).

Sub-section (1) was substituted for sub-section (1) by Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973), section 3 and 2nd Schedule.

The words "three hundred Taka" were substituted for the words "three Taka" by section 2 of অর্থ আইন, ২০১২ (২০১২ সনের ২৬নং আইন) (with effect from 1st July, 2012).

The words, letter and commas "or in Schedule IA, as the case may be," were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

chargeable with duty exceeding three Taka a counterpart or duplicate of any instrument chargeable with duty and in respect of which the proper duty has been paid¹[* * *].

6A. [Omitted by the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973), section 3 and 2nd Schedule.]

Policies of sea-insurance

7. (1) No contract for sea-insurance²[* * *] shall be valid unless the same is expressed in a sea-policy.

(2) No sea-policy made for time shall be made for any time exceeding twelve months.

(3) No sea-policy shall be valid unless it specifies the particular risk or adventure, or the time, for which it is made, the names of the subscribers or underwriters, and the amount or amounts insured.

(4) Where any sea-insurance is made for or upon a voyage and also for time, or to extend to or cover any time beyond thirty days after the ship shall have arrived at her destination and been there moored at anchor, the policy shall be charged with duty as a policy for or upon a voyage and also with duty as a policy for time.

Bonds, debentures or other securities issued on loans under Act IX of 1914

8. (1) Notwithstanding anything in this Act, any local authority raising a loan under the provisions of the Local Authorities Loans Act, 1914, or of any other law for the time being in force, by the issue of bonds, debentures or other securities, shall, in respect of such loan, be chargeable with a duty of one per centum on the total amount of the bonds, debentures or other securities issued by it, and such bonds, debentures or other securities need not be stamped, and shall not be chargeable with any further duty on renewal, consolidation, subdivision or otherwise.

¹ The words and figure "unless it falls within the provisions of section 6A" were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

² The words, comma and figures "other than insurance as is referred to in section 50 of the Merchant Shipping Act, 1894" were omitted by section 2 of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

(2) The provisions of sub-section (1) exempting certain bonds, debentures or other securities from being stamped and from being chargeable with certain further duty shall apply to the bonds, debentures or other securities of all outstanding loans of the kind mentioned therein, and all such bonds, debentures or other securities shall be valid, whether the same are stamped or not.

Provided that nothing herein contained shall exempt the local authority which has issued such bonds, debentures or other securities from the duty chargeable in respect thereof prior to the twenty-sixth day of March, 1897, when such duty has not already been paid or remitted by order issued by the Government.

(3) In the case of wilful neglect to pay the duty required by this section, the local authority shall be liable to forfeit to the Government a sum equal to ten *per centum* upon the amount of duty payable, and a like penalty for every month after the first month during which the neglect continues.

9. The Government may, by rule or order publish in the Official Gazette,—

Power to reduce, remit or compound duties

- (a) reduce or remit, whether prospectively or retrospectively, in the whole or any part of the territories under its administration, the duties with which any instruments, or any particular class of instruments, or any of the instruments belonging to such class, or any instruments when executed by or in favour of any particular class of persons, or by or in favour of any members of such class, are chargeable, and
- (b) provide for the composition or consolidation of duties in the case of issues by any incorporated company or other body corporate of debentures, bonds or other marketable securities.

B.— Of Stamps and the mode of using them.

Duties how to be paid

10. (1) Except as otherwise expressly provided in this Act, all duties with which any instruments are chargeable shall be paid, and such payment shall be indicated on such instruments, by means of stamps—

- (a) according to the provisions herein contained; or
- (b) when no such provision is applicable thereto— as the Government may by rule direct.

(2) The rules made under sub-section (1) may, among other matters, regulate,—

- (a) in the case of each kind of instrument — the description of stamps which may be used;
- (b) in the case of instruments stamped with impressed stamps — the number of stamps which may be used;
- (c) in the case of bills of exchange or promissory notes written in any Oriental language— the size of the paper on which they are written.

Use of adhesive stamps

11. The following instruments may be stamped with adhesive stamps, namely: —

- (a) instruments chargeable with the duty of ten poisha or five poisha, except parts of bills of exchange payable otherwise than on demand and drawn in sets;
- (b) bills of exchange and promissory notes drawn or made out of Bangladesh;
- (c) entry as an ¹[advocate on the roll of the Supreme Court];
- (d) notarial acts; and
- (e) transfers by endorsement of shares in any incorporated company or other body corporate

¹ The words "advocate on the roll of the Supreme Court" were substituted for the words and comma "advocate, vakil or attorney on the roll of a High Court" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

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[11A. Notwithstanding the other provisions of this Act or any other law for the time being in force, the Government may, by notification in the official Gazette, direct that where the stamp duty payable on an insurance policy exceeds the amount specified in the notification, the entire stamp duty shall be paid only by treasury challan or account-payee pay order or account-payee bank draft in the manner prescribed by such notification or by rules.]

Payment of stamp duties on insurance policy in certain cases by challan, pay order or bank draft

12. (1) (a) Whoever affixes any adhesive stamp to any instrument chargeable with duty which has been executed by any person shall, when affixing such stamp, cancel the same so that it cannot be used again; and

Cancellation of adhesive stamps

(b) whoever executes any instrument on any paper bearing an adhesive stamp shall, at the time of execution, unless such stamp has been already cancelled in manner aforesaid, cancel the same so that it cannot be used again.

(2) Any instrument bearing an adhesive stamp which has not been cancelled so that it cannot be used again, shall, so far as such stamp is concerned, be deemed to be unstamped.

(3) The person required by sub-section (1) to cancel an adhesive stamp may cancel it by writing on or across the stamp his name or initials or the name or initials of his firm with the true date of his so writing, or in any other effectual manner.

13. Every instrument written upon paper stamped with an impressed stamp shall be written in such manner that the stamp may appear on the face of the instrument and cannot be used for or applied to any other instrument.

Instruments stamped with impressed stamps how to be written

14. No second instrument chargeable with duty shall be written upon a piece of stamped paper upon which an instrument chargeable with duty has already been written:

Only one instrument to be on same stamp

Section 11A was inserted by section 3 of অর্থ আইন, ২০০০ (২০০০ সনের ১৫নং আইন).

Provided that nothing in this section shall prevent an endorsement which is duly stamped or is not chargeable with duty being made upon any instrument for the purpose of transferring any right created or evidenced thereby, or of acknowledging the receipt of any money or goods the payment or delivery of which is secured thereby.

15. Every instrument written in contravention of section 13 or section 14 shall be deemed to be unstamped.

Instrument
written
contrary to
section 13 or
14 deemed
unstamped
Denoting duty

16. Where the duty with which an instrument is chargeable, or its exemption from duty, depends in any manner upon the duty actually paid in respect of another instrument, the payment of such last-mentioned duty shall, if application is made in writing to the Collector for that purpose, and on production of both the instruments, be donated upon such first mentioned instrument by endorsement under the hand of the Collector or in such other manner (if any) as the Government may by rule prescribe.

C.— Of the time of stamping instruments.

17. All instruments chargeable with duty and executed by any person in Bangladesh shall be stamped before or at the time of execution.

Instruments
executed in
Bangladesh

Instruments
other than bills,
and notes
executed out of
Bangladesh

18. (1) Every instrument chargeable with duty executed only out of Bangladesh, and not being a bill of exchange or promissory note, may be stamped within three months after it has been first received in Bangladesh.

(2) Where any such instrument cannot, with reference to the description of stamp prescribed therefor, be duly stamped by a private person, it may be taken within the said period of three months to the Collector, who shall stamp the same, in such manner as the Government may by rule prescribe, with a stamp of such value as the person so taking such instrument may require and pay for.

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19. The first holder in Bangladesh of any bill of exchange payable otherwise than on demand or promissory note drawn or made out of Bangladesh shall, before he presents the same for acceptance or payment, or endorses, transfers or otherwise negotiates the same in Bangladesh, affix thereto the proper stamp and cancel the same:

Bills and notes drawn out of Bangladesh

Provided that,

- (a) if, at the time any such bill of exchange, or note comes into the hands of any holder thereof in Bangladesh, the proper adhesive stamp is affixed thereto and cancelled in manner prescribed by section 12; and such holder has no reason to believe that such stamp was affixed or cancelled otherwise than by the person and at the time required by this Act, such stamp shall, so far as relates to such holder, be deemed to have been duly affixed and cancelled;
- (b) nothing contained in this proviso shall relieve any person from any penalty incurred by him for omitting to affix or cancel a stamp.

19A. [Omitted by the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973), section 3 and 2nd Schedule.]

D. - Of Valuations for Duty.

20. (1) Where an instrument is chargeable with *ad valorem* duty in respect of any money expressed in any currency other than that of Bangladesh, such duty shall be calculated on the value of such money in the currency of Bangladesh according to the current rate of exchange on the day of the date of the instrument.

Conversion of amount expressed in foreign currencies

(2) The Government may, from time to time, by notification in the official Gazette, prescribe a rate of exchange for the conversion of British or any foreign currency into the currency of Bangladesh for the purposes of calculating stamp-duty, and such rate shall be deemed to be the current rate for the purposes of sub-section (1).

21. Where an instrument is chargeable with *ad valorem* duty in respect of any stock or of any marketable or other security, such duty shall be calculated on the value of such stock

Stock and marketable securities how to be valued

or security according to the average price or the value thereof on the day of the date of the instrument.

Effect of statement of rate of exchange or average price

22. Where an instrument contains a statement of rate of exchange, or average price, as the case may require, and is stamped in accordance with such statement, it shall, unless the contrary is proved, be presumed, and shall be deemed, to be duly stamped.

Instruments reserving interest

23. Where interest is expressly made payable by the terms of an instrument, such instrument shall not be chargeable with duty higher than that with which it would have been chargeable had no mention of interest been made therein.

Certain instrument connected with mortgagees of marketable securities to be chargeable as agreements

¹[23A. (1) Where an instrument (not being a promissory note or bill of exchange) —

(a) is given upon the occasion of the deposit of any marketable security by way of security for money advanced or to be advanced by way of loan, or to an existing or future debt, or

(b) makes redeemable or qualifies duly stamped mortgage intended as a security, of any marketable security,

it shall be chargeable with duty as if it were an agreement in memorandum of an agreement chargeable with duty under Article No. 5(c) of Schedule I.

(2) A release or discharge of any such instrument shall only be chargeable with the like duty.]

How transfer in consideration of debt, or subject to future payment, etc., to be charged

24. Where any property is transferred to any person in consideration, wholly or in part, of any debt due to him or subject either certainly or contingently to the payment of money or stock, whether being or consisting in a charge or encumbrance upon the property or the debt, or any money or stock is to be deemed the whole or part, as the case may be, of the consideration in respect whereof the transfer is chargeable with *ad valorem* duty.

¹ Section 23A was added by the Indian Stamp (Amendment) Act, 1904 (Act No. 13 of 1904).

Provided that nothing in this section shall apply to any certificate of sale as is mentioned in Article No. 18 of Schedule 1.

Explanation—In the case of a sale of property subject to a mortgagee or other encumbrance, any unpaid mortgagee-money or money charged, together with the interest (if any) due on the same, shall be deemed to be part of the consideration for the sale.

Provided that, where property subject to a mortgagee is transferred to the mortgagee, he shall be entitled to deduct from the duty payable on the transfer the amount of any duty already paid in respect of the mortgagee.

Illustrations

(1) A owes B Taka 1,000. A sells a property to B, the consideration being Taka 500 and the release of the previous debt of Taka 1,000. Stamp duty is payable on Taka 1,500.

(2) A sells a property to B for Taka 500 which is subject to a mortgagee to C for Taka 1,000 and unpaid interest Taka 200. Stamp-duty is payable on Taka 1,700.

(3) A mortgages a house of the value of Taka 10,000 to B for Taka 5,000. B afterwards, buys the house from A. Stamp duty is payable on Taka 10,000 less the amount of stamp-duty already paid for the mortgagee.

25. Where an instrument is executed to secure the payment of an annuity or other sum payable periodically, or where the consideration for a conveyance is an annuity or other sum payable periodically, the amount secured by such instrument or the consideration for such conveyance, as the case may be, shall, for the purposes of this Act, be deemed to be,—

Valuation in case of annuity, etc

- (a) where the sum is payable for a definite period so that the total amount to be paid can be previously ascertained—such total amount;
- (b) where the sum is payable in perpetuity or for an indefinite time not terminable with any life in being at the date of such instrument or conveyance - the total amount which, according to the terms of such instrument or conveyance, will or may be payable during the period of twenty years calculated from the date on which the first payment becomes due; and

- (c) where the sum is payable for an indefinite term terminable with any life in being at the date of such instrument or conveyance - the maximum amount which will or may be payable as aforesaid during the period of twelve years calculated from the date on which the first payment becomes due.

Stamp where
value of
subject-matter
is
indeterminate

26. Where the amount or value of the subject-matter of any instrument chargeable with *ad valorem* duty cannot be, or (in the case of an instrument executed before the commencement of this Act) could not have been, ascertained at the date of its execution or first execution, nothing shall be claimable under such instrument more than the highest amount or value for which, if stated in an instrument of the same description, the stamp actually used would, at the date of such execution, have been sufficient:

Provided that, in the case of the lease of a mine in which royalty or a share of the produce is received as the rent or part of the rent, it shall be sufficient to have estimated such royalty or the value of such share, for the purpose of stamp-duty, -

- (a) when the lease has been granted by or on behalf of Government, at such amount or value as the Collector may, having regard to all the circumstances of the case, have estimated as likely to be payable by way of royalty or share to Government under the lease, or,
- (b) when the lease has been granted by any other person, at twenty thousand Taka a year;

and the whole amount of such royalty or share, whatever it may be, shall be claimable under such lease:

Provided also that, where proceedings have been taken in respect of an instrument under section 31 or 41, the amount certified by the Collector shall be deemed to be the stamp actually used at the date of execution.

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27. The consideration (if any) and all other facts and circumstances affecting the chargeability of any instrument with duty, or the amount of the duty with which it is chargeable, shall be fully and truly set forth therein.

Facts affecting duty to be set forth in instrument

28. (1) Where any property has been contracted to be sold for one consideration for the whole, and is conveyed to the purchaser in separate parts by different instruments, the consideration shall be apportioned in such manner as the parties think fit, provided that a distinct consideration for each separate part is set forth in the conveyance relating thereto, and such conveyance shall be chargeable with *ad valorem* duty in respect of such distinct consideration.

Direction as to duty in case of certain conveyance

(2) Where property contracted to be purchased for one consideration for the whole, by two or more persons jointly, or by any person for himself and others, or wholly for others, is conveyed in parts by separate instruments to the persons by or for whom the same was purchased, for distinct parts of the consideration, the conveyance of each separate part shall be chargeable with *ad valorem* duty in respect of the distinct part of the consideration therein specified.

¹[(2A). Notwithstanding anything contained in sub-section (1) and (2), where any property mentioned in any of these sub-sections is conveyed to the same person in parts by separate instruments executed within twelve months, the conveyance of the last part shall be chargeable with such amount of duty as would make up the *ad valorem* duty with which the conveyance for the whole property would be chargeable had it been conveyed by one instrument.]

(3) Where a person, having contracted for the purchase of any property but not having obtained a conveyance thereof, contracts to sell the same to any other person and the property is in consequence conveyed immediately to the sub-purchaser, the conveyance shall be chargeable with *ad valorem* duty in respect of the consideration for the sale by the original purchaser to the sub-purchaser.

Sub-section (2A) was inserted by section 3 of the Finance Ordinance, 1984 (Ordinance No. XLII of 1984).

(4) Where a person, having contracted for the purchase of any property but not having obtained a conveyance thereof contracts to sell the whole, or any part thereof to any other person or persons, and the property is in consequence conveyed by the original seller to different persons in parts, the conveyance of each part sold to a sub-purchaser shall be chargeable with *ad valorem* duty in respect only of the consideration paid by such sub-purchaser, without regard to the amount or value of the original consideration; and the conveyance of the residue (if any) of such property to the original purchaser shall be chargeable with *ad valorem* duty in respect only of the excess of the original consideration over the aggregate of the considerations paid by the sub-purchasers.

Provided that the duty on such last-mentioned conveyance shall in no case be less than three Taka.

(5) Where a sub-purchaser takes an actual conveyance of the interest of the person immediately selling to him, which is chargeable with *ad valorem* duty in respect of the consideration paid by him and is duly stamped accordingly, any conveyance to be afterwards made to him of the same property by the original seller shall be chargeable with a duty equal to that which would be chargeable on a conveyance for the consideration obtained by such original seller, or, where such duty would exceed five Taka with a duty of five Taka.

E.— Duty by whom payable.

Duties by
whom payable

29. In the absence of an agreement to the contrary, the expense of providing the proper stamp shall be borne. —

(a) in the case of any instrument described in any of the following articles of Schedule I, namely:—

No. 2 (Administration Bond),

No. 6 (Agreement relating to Deposit of Title deeds, Pawns or Pledge),

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- No. 13 (Bill of Exchange),
- No. 15 (Bond),
- No. 16 (Bottomry Bond),
- No. 26 (Customs Bond),
- No. 27 (Debenture),
- No. 32 (Further charge),
- No. 34 (Indemnity-bond),
- No. 40 (Mortgagee deed),
- No. 49 (Promissory-note),
- No. 55 (Release),
- No. 56 (Respondentia Bond),
- No. 57 (Security-bond or Mortgagee-deed),
- No. 58 (Settlement),
- No. 62 (a) (Transfer of shares in an incorporated company or other body corporate),
- No. 62(b) (Transfer of debentures, being marketable securities, whether the debenture is liable to duty or not, except debentures provided for by section 8),
- No. 62(c) (Transfer of any interest secured by a bond, mortgagee-deed or policy of insurance),-

by the person drawing, making or executing such instrument:

- (b) in the case of a policy of insurance other than fire-insurance - by the person effecting the insurance;
- (bb) in the case of a policy of fire-insurance-by the person issuing the policy;

- (c) in the case of a conveyance (including a sub-conveyance) of mortgaged property) by the grantee, in the case of a lease or agreement to lease - by the lessor or intended lessor;
- (d) in the case of a counterpart of a lease - by the lessor;
- (e) in the case of an instrument of exchange - by the parties to equal shares;
- (f) in the case of a certificate of sale - by the purchaser of the property to which such certificate relates; and
- (g) in the case of an instrument of partition - by the parties thereto in proportion to their respective shares in the whole property partitioned, or, when the partition is made in execution of an order passed by a Revenue-authority or Civil Court or arbitrator, in such proportion as such authority, Court or arbitrator directs.

29A. [Omitted by Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973), section 3 and 2nd Schedule.]

Obligation to give receipt in certain cases.

30. Any person receiving any money exceeding [four hundred Taka] in amount, or any bill of exchange, cheque or promissory note for an amount exceeding ¹[four hundred Taka], or receiving in satisfaction or part satisfaction of a debt any movable property exceeding ¹[four hundred Taka] in value, shall, on demand by the person paying or delivering such money, bill, cheque, note or property, give a duly stamped receipt for the same.

Any person receiving or taking credit for any premium or consideration for any renewal of any contract of fire-insurance, shall, within one month after receiving or taking credit for such premium or consideration, give a duly stamped receipt for the same.

¹ The words "four hundred Taka" were substituted for the words "twenty Taka" by section 3 of অর্থ আইন, ২০১২ (২০১২ সনের ২৬নং আইন). (with effect from 1st July, 2012)

CHAPTER III

ADJUDICATION AS TO STAMPS

31. (1) When any instrument, whether executed or not and whether previously stamped or not, is brought to the Collector, the person bringing it applies to have the opinion of that Collector as to the duty (if any) with which it is chargeable, and pays a fee of such amount (not exceeding five Taka and not less than fifty pasha as the Collector may in each case direct, the Collector shall determine the duty (if any) with which, in his opinion, the instrument is chargeable.

Adjudication as to proper stamp

(2) For this purpose the Collector may require to be furnished with an abstract of the instrument, and also with such affidavit or other evidence as he may deem necessary to prove that all the facts and circumstances affecting the chargeability of the instrument with duty, or the amount of the duty with which it is chargeable, are fully and truly set forth therein, and may refuse to proceed upon any such an application until such abstract and evidence have been furnished accordingly:

Provided that—

- (a) no evidence furnished in pursuance of this section shall be used against any person in any civil proceeding, except in an inquiry as to the duty with which the instrument to which it relates is chargeable; and
- (b) every person by whom any such evidence is furnished shall, on payment of the full duty with which the instrument to which it relates is chargeable, be relieved from any penalty which he may have incurred under this Act by reason of the omission to state truly in such instrument any of the facts or circumstances aforesaid.

32. (1) When an instrument brought to the Collector under section 31 is, in his opinion, one of a description chargeable with duty, and—

Certificate by Collector

- (a) the Collector determines that it is already fully stamped, or
- (b) the duty determined by the Collector under section 31, or such a sum as, with the duty already paid in respect of the instrument, is equal to the duty so determined, has been paid

the Collector shall certify by endorsement on such instrument that the full duty (stating the amount) with which it is chargeable has been paid.

(2) When such instrument is, in his opinion, not chargeable with duty, the Collector shall certify in manner aforesaid that such instrument is not so chargeable.

(3) Any instrument upon which an endorsement has been made under this section, shall be deemed to be duly stamped or not chargeable with duty, as the case may be; and, if chargeable with duty shall be receivable in evidence or otherwise, and may be acted upon and registered as if it had been originally duly stamped:

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

- (a) any instrument ¹[* * *] executed or first executed in Bangladesh 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 Bangladesh and brought to him after the expiration of three months after it has been first received in Bangladesh;
- (c) any instrument chargeable with the duty of ten poisha or five poisha or any bill of exchange or promissory note, when brought to him, after the drawing or execution thereof, on paper not duly stamped.

²[* * *]

CHAPTER IV

INSTRUMENTS NOT DULY STAMPED

33. (1) Every person having by law or consent of parties authority to receive evidence, and every person in charge of a public office, except an officer of police, before whom any instrument, chargeable, in his opinion, with duty, is produced or comes in the performance of his functions, shall, if it appears to him that such instrument is not duly stamped, impound the same.

Examination
and
impounding of
instruments

(2) For that purpose every such person shall examine every instrument so chargeable and so produced or coming before him in order to ascertain whether it is stamped with a stamp of the value and description required by the law in force in Bangladesh when such instrument was executed or first executed:

Provided that, —

(a) nothing herein contained shall be deemed to require any Magistrate or Judge of a Criminal Court to examine or impound, if he does not think fit so to do, any instrument coming before him in the course of any proceeding other than a proceeding under Chapter XII or Chapter XXXVI of the Code of Criminal Procedure, 1898;

(b) in the case of a Judge of the High Court Division the duty of examining and impounding any instrument under this section may be delegated to such officer as the Court appoints in this behalf.

(c) For the purposes of this section, in cases of doubt, —
that offices shall be

Special provision as to unstamped receipts

Instruments not duly stamped inadmissible in evidence, etc

34. Where any receipt chargeable with a duty of [ten poisha] is tendered to or produced before any officer [unstamped] in the course of the audit of any public account, such officer may in his discretion, instead of impounding the instrument, require a duly stamped receipt to be substituted therefor.

35. No instrument chargeable with duty 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:

Provided that, —

- (a) any such instrument not being an instrument chargeable with a duty of ten poisha or five poisha only, or a bill of exchange or promissory note, 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 Taka, or, when ten times the amount of the proper duty or deficient portion thereof exceeds five Taka, or a sum equal to ten times such duty or portion;
- (b) where any person from whom a stamped receipt could have been demanded, has given an unstamped receipt and such receipt, if stamped, would be admissible in evidence against him, then such receipt shall be admitted in evidence against him on payment of a penalty of one Taka by the person tendering it;
- (c) where a contract or agreement of any kind is effected by correspondence consisting of two or more letters and any one of the letters bears the proper stamp, the contract or agreement shall be deemed to be duly stamped;
- (d) nothing herein contained shall prevent the admission of any instrument in evidence in any proceeding in a Criminal Court, other than a proceeding under Chapter XII or Chapter XXXVI of the Code of Criminal Procedure, 1898;

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- (e) nothing herein contained shall prevent the admission of any instrument in any Court when such instrument has been executed by or on behalf of the Government, or where it bears the certificate of the Collector as provided by section 32 or any other provision of this Act.

36. Where an instrument has been admitted in evidence, such admission shall not except as provided in section 61, be called in question at any stage of the same suit or proceeding on the ground that the instrument has not been duly stamped.

Admission of instrument where not to be questioned

37. The Government may make rules providing that, where an instrument bears a stamp of sufficient amount but of improper description, it may on payment of the duty with which the same is chargeable, be certified to be duly stamped, and any instrument so certified shall then be deemed to have been duly stamped as from the date of its execution.

Admission of improperly stamped instruments

38. (1) When the person impounding an instrument under section 33 has by law or consent of parties authority to receive evidence and admits such instrument in evidence upon payment of a penalty as provided by section 35 or of duty as provided by section 37, he shall send to the Collector an authenticated copy of such instrument, together with a certificate in writing, stating the amount of duty and penalty levied in respect thereof, and shall send such amount to the Collector, or to such person as he may appoint in this behalf.

Instruments impounded how dealt with

(2) In every other case, the person so impounding an instrument shall send it in original to the Collector.

39. (1) When a copy of an instrument is sent to the Collector under section 38, sub-section (1), he may, if he thinks fit, refund any portion of the penalty in excess of five Taka which has been paid in respect of such instrument.

Collector's power to refund penalty paid under section 38, sub-section (1)

(2) When such instrument has been impounded only because it has been written in contravention of section 13 or section 14, the Collector may refund the whole penalty so paid.

Collector's
power to stamp
instruments
impounded

40. (1) When the Collector impounds any instrument under section 33, or receives any instrument sent to him under section 38, sub-section (2), not being an instrument chargeable with a duty of ten poisha or five poisha only or a bill of exchange or promissory note, he shall adopt the following procedure:—

- (a) if he is of opinion that such instrument is duly stamped or is not chargeable with duty, he shall certify by endorsement thereon that it is duly stamped, or that it is not so chargeable, as the case may be;
- (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 Taka or, if he thinks fit, an amount not exceeding ten times the amount of the proper duty or of the deficient portion thereof, whether such amount exceeds or falls short of five Taka:

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) Every certificate under clause (a) of sub-section (1) shall, for the purposes of this Act, be conclusive evidence of the matters stated therein.

(3) Where an instrument has been sent to the Collector under section 38, sub-section (2), the Collector shall, when he has dealt with it as provided by this section, return it to the impounding officer.

Instruments
unduly
stamped by
accident

41. If any instrument chargeable with duty and not duly stamped, not being an instrument chargeable with a duty of ten poisha or five poisha only or a bill of exchange or promissory note, is produced by any person of his own motion before the Collector within one year from the date of its execution or first execution, and such person brings to the notice of the Collector

of 1899] the fact that such instrument is not duly stamped and offers to pay to the Collector the amount of the proper duty, or the amount required to make up the same, and the Collector is satisfied that the omission to duly stamp such instrument has been occasioned by accident, mistake or urgent necessity, he may, instead of proceeding under sections 33 and 40, receive such amount and proceed as next hereinafter prescribed.

42. (1) When the duty and penalty (if any) leviable in respect of any instrument have been paid under section 35, section 40 or section 41, the person admitting such instrument in evidence or the Collector, as the case may be, shall certify by endorsement thereon that the proper duty or, as the case may be, the proper duty and penalty (stating the amount of each) have been levied in respect thereof, and the name and residence of the person paying them.

(2) Every instrument so endorsed shall thereupon be admissible in evidence, and may be registered and acted upon and authenticated as if it had been duly stamped, and shall be delivered on his application in this behalf to the person from whose possession it came into the hands of the officer impounding it, or as such person may direct:

Provided that—

- (a) no instrument which has been admitted in evidence upon payment of duty, and a penalty under section 35, shall be so delivered before the expiration of one month from the date of such impounding, or if the Collector has certified that its further detention is necessary and has not cancelled such certificate;
- (b) nothing in this section shall affect the Order XIII, rule 9 of Schedule I to the Code of Civil Procedure, 1908.

43. The taking of proceedings or the payment of a penalty under this chapter in respect of any instrument shall not bar the prosecution of any person who appears to have committed an offence against the Stamp-law in respect of such instrument:

Endorsement of instruments on which duty has been paid under sections 35, 40 or 41

Prosecution for offence against Stamp-law

Provided that no such prosecution shall be instituted in the case of any instrument in respect of which such a penalty has been paid, unless it appears to the Collector that the offence was committed with an intention of evading payment of the proper duty.

Persons paying duty or penalty may recover same in certain cases

44. (1) When any duty or penalty has been paid under section 35, section 37, section 40 or section 41, by any person in respect of an instrument, and, by agreement or under the provisions of section 29 or any other enactment in force at the time such instrument was executed, some other person was bound to bear the expense of providing the proper stamp for such instrument, the first-mentioned person shall be entitled to recover from such other person the amount of the duty or penalty so paid.

(2) For the purpose of such recovery any certificate granted in respect of such instrument under this Act shall be conclusive evidence of the matters therein certified.

(3) Such amount may, if the Court thinks fit, be included in any order as to costs in any suit or proceeding to which such persons are parties and in which such instrument has been tendered in evidence. If the Court does not include the amount in such order, no further proceedings for the recovery of the amount shall be maintainable.

Power to Revenue-authority to refund penalty or excess duty in certain cases

45. (1) Where any penalty is paid under section 35 or section 40, the Chief Revenue authority may, upon application in writing made within one year from the date of the payment, refund such penalty wholly or in part.

(2) Where, in the opinion of the Chief Revenue-authority, stamp-duty in excess of that which is legally chargeable has been charged and paid under section 35 or section 40, such authority may, upon application in writing made within three months of the order charging the same, refund the excess.

Non-liability for loss of instruments sent under section 38

46. (1) If any instrument sent to the Collector under section 38, sub-section (2), is lost, destroyed or damaged during transmission, the person sending the same shall not be liable for such loss, destruction or damage.

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(2) When any instrument is about to be so sent, the person from whose possession it came into the hands of the person impounding the same, may require a copy thereof to be made at the expense of such first-mentioned person and authenticated by the person impounding such instrument.

47. When any bill of exchange or promissory note chargeable with the duty of five poisha is presented for payment unstamped, the person to whom it is so presented may affix thereto the necessary adhesive stamp, and, upon canceling the same in manner hereinbefore provided, may pay the sum payable upon such bill, or note, and may charge the duty against the person who ought to have paid the same, or deduct it from the sum payable as foresaid, and such bill, or note shall, so far as respects the duty, be deemed good and valid:

Powers of payee to stamp bills and promissory notes received by him unstamped

Provided that nothing herein contained shall relieve any person from any penalty or proceeding to which he may be liable in relation to such bill, or note.

48. All duties, penalties and other sums required to be paid under this chapter may be recovered by the Collector by distress and sale of the movable property of the person from whom the same are due, or by any other process for the time being in force for the recovery of arrears of land-revenue.

Recovery of duties and penalties

48A. [Omitted by the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973), section 3 and 2nd Schedule.]

CHAPTER V

ALLOWANCES FOR STAMPS IN CERTAIN CASES

49. Subject to such rules as may be made by the Government as to the evidence to be required, or the enquiry to be made, the Collector may, on application made within the period prescribed in section 50, and if he is satisfied as to the facts, make allowance for impressed stamps spoiled in the case

Allowance for spoiled stamps

hereinafter mentioned, namely: —

- (a) the stamp on any paper inadvertently and undesignedly spoiled, obliterated or by error in writing or any other means rendered unfit for the purpose intended before any instrument written thereon is executed by any person;
- (b) the stamp on any document which is written out wholly or in part, but which is not signed or executed by any party thereto;
- (c) in the case of bills of exchange payable otherwise than on demand or promissory notes—
 - (1) the stamp on any such bill of exchange signed by or on behalf of the drawer which has not been accepted or made use of in any manner whatever or delivered out of his hands for any purpose other than by way of tender for acceptance ; provided that the paper on which any such stamp is impressed does not bear any signature intended as or for the acceptance of any bill of exchange to be afterwards written thereon;
 - (2) the stamp on any promissory note signed by or in behalf of the maker which has not been made use of in any manner whatever or delivered out of his hands;
 - (3) the stamp used or intended to be used for any such bill of exchange or promissory note signed by, or on behalf of, the drawer thereof, but which from any omission or error has been spoiled or rendered useless, although the same, being a bill of exchange may have been presented for acceptance or accepted or endorsed, or, being a promissory note, may have been delivered to the payee: provided that another completed and duly stamped bill of exchange, or promissory note is produced identical in every particular, except in the correction of such omission or error as aforesaid, with the spoiled bill, or note;
- (d) the stamp used for an instrument executed by any party thereto which—
 - (1) has been afterwards found to be absolutely void in law from the beginning;

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- (2) has been afterwards found unfit by reason of any error or mistake therein, for the purpose originally intended,
- (3) by reason of the death of any person by whom it is necessary that it should be executed, without having executed the same, or of the refusal of any such person to execute the same, cannot be completed so as to effect the intended transaction in the form proposed;
- (4) for want of the execution thereof by some material party, and his inability or refusal to sign the same is in fact incomplete and insufficient for the purpose for which it was intended;
- (5) by reason of the refusal of any person to act under the same, or to advance any money intended to be thereby secured, or by the refusal or non-acceptance of any office thereby granted, totally fails of the intended purpose;
- (6) becomes useless in consequence of the transaction intended to be thereby effected being effected by some other instrument between the same parties and bearing a stamp of not less value;
- (7) is deficient in value and the transaction intended to be thereby effected had been effected by some other instrument between the same parties and bearing a stamp of not less value;
- (8) is inadvertently and undersignedly spoiled and in lieu whereof another instrument made between the same parties and for the same purpose is executed and duly stamped:

Provided that, in the case of an executed instrument, no legal proceeding has been commenced in which the instrument could or would have been given or offered in evidence and that the instrument is given up to be cancelled.

Explanation— The certificate of the Collector under section 17 that the full duty with which an instrument is chargeable has been paid is an impressed stamp within the meaning of this section.

Application for relief under section 49 when to be made

50. The application for relief under section 49 shall be made within the following periods, that is to say,—

- (1) in the cases mentioned in clause (d) (5), within two months of the date of the instrument;
- (2) in the case of a stamped paper on which no instrument has been executed by any of the parties thereto, within six months after the stamp has been spoiled;
- (3) in the case of a stamped paper in which an instrument has been executed by any of the parties thereto, within six months after the date of the instrument, or, if it is not dated within six months after the execution thereof by the person by whom it was first or alone executed:

Provided that,—

- (a) when the spoiled instrument has been sufficient reasons sent out of [Bangladesh, the application may be made within six months after it has been received back in Bangladesh;
- (b) when, from unavoidable circumstances, any instrument for which another instrument has been substituted cannot be given up to be cancelled within the aforesaid period, the application may be made within six months after the date of execution of the substituted instrument.

Allowance in case of printed forms no longer required by Corporation

51. The Chief Revenue-authority or the Collector if empowered by the Chief 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 misused stamps

52. (a) When any person has inadvertently used, for an instrument chargeable with duty, a stamp of a description other than that prescribed for such instrument by the rules made under this Act, or a stamp of greater value than was necessary, or has inadvertently used any stamp for an instrument not chargeable with any duty; or

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(b) when any stamp used for an instrument has been inadvertently rendered useless under section 15, owing to such instrument having been written in contravention of the provisions of section 13;

the Collector may, on application made within six months after the date of the instrument, or, if it is not dated, within six months after the execution thereof by the person by whom it was first or alone executed, and upon the instrument, if chargeable with duty, being re-stamped with the proper duty, cancel and allow as spoiled the stamp so misused for rendered useless.

53. 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 six and one fourth *per centum* of that value.

Allowance for spoiled or misused stamps how to be made

54. 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 the words deducting six and one-fourth *per centum* of that value 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.

Allowance for stamps not required for use

Allowance on
renewal of
certain
debentures

55. When any duly stamped debenture is renewed by the issue of a new debenture in the same terms, the Collector shall, upon application made within one month, repay to the person issuing such debenture, the value of the stamp on the original or on the new debenture, whichever shall be less:

Provided that the original debenture is produced before the Collector and cancelled by him in such manner as the Government may direct.

Explanation—A debenture shall be deemed to be renewed in the same terms within the meaning of this section notwithstanding the following changes:

- (a) the issue of two or more debentures in place of one original debenture, the total amount secured being the same;
- (b) the issue of one debenture in place of two or more original debentures, the total amount secured being the same;
- (c) the substitution of the name of the holder at the time of renewal for the name of the original holder; and
- (d) the alteration of the rate of interest or the dates of payment thereof.

CHAPTER VI

REFERENCE AND REVISION

Control of, and
statement of
cases to, Chief
Revenue-
authority

56. (1) The powers exercisable by a Collector under Chapter IV and Chapter V and under clause (a) of the first proviso to section 26 shall in all cases be subject to the control of the Chief Revenue-authority.

(2) If any Collector, acting under section 31, section 40 or section 41, feels doubt as to the amount of duty with which any instrument is chargeable, he may draw up a statement of the case, and refer it, with his own opinion thereon, for the decision of the Chief Revenue-authority.

(3) Such authority shall consider the case and send a copy of its decision to the Collector, who shall proceed to assess and charge the duty (if any) in conformity with such decision.

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57. (1) The Chief Revenue-authority may state any case referred to it under section 56, sub-section (2), or otherwise coming to its notice, and refer such case, with its own opinion [thereon, to the High Court Division]-

Statement of case by Chief Revenue-authority to High Court Division, etc

[* * *]

(2) Every such case shall be decided by not less than three Judges of the High Court Division to which it is referred, and in case of difference the opinion of the majority shall prevail.

58. If the High Court Division is not satisfied that the statements contained in the case are sufficient to enable it to determine the questions raised thereby, the Court may refer the case back to the Revenue-authority by which it was stated, to make such additions thereto or alterations therein as the Court may direct in that behalf.

Power of High Court Division, etc., to call for further particulars as to case stated

59. (1) The High Court Division upon the hearing of any such case, shall decide the questions raised thereby, and shall deliver its judgment thereon containing the grounds on which such decision is founded.

Procedure in disposing of case stated

(2) The Court shall send to the Revenue-authority by which the case was stated, a copy of such judgment under the seal of the Court and the signature of the Registrar; and the Revenue-authority shall, on receiving such copy, dispose of the case conformably to such judgment.

60. (1) If any Court, other than a Court mentioned in section 57, feels doubts as to the amount of duty to be paid in respect of any instrument under proviso (a) to section 35, the judge may

Statement of case of other Courts to High Court Division, etc

1 The words and comma "thereon, to the High Court Division" were substituted for the words and comma "thereon," by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).
2 Clauses (a) and (b) of sub-section (1) were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

draw up a statement of the case and refer it, with his own opinion thereon, for the decision of the High Court Division to which, if he were the Chief Revenue-authority, he would, under section 57, refer the same.

(2) Such Court shall deal with the case as if it had been referred under section 57, and send a copy of its judgment under the seal of the Court and the signature of the Registrar to the Chief Revenue-authority, and another like copy to the judge making the reference, who shall, on receiving such copy, dispose of the case conformably to such judgment.

(3) References made under sub-section (1), when made by a Court subordinate to a District Court, shall be made through the District Court, and, when made by any sub ordinate Revenue Court, shall be made through the Court immediately superior.

61. (1) When any Court in the exercise of its civil or revenue jurisdiction or any Criminal Court in any proceeding under Chapter XII or Chapter XXXVI of the Code of Criminal Procedure, 1898, makes any order admitting any instrument in evidence as duly stamped or as not requiring a stamp, or upon payment of duty and a penalty under section 35, the Court to which appeals lie from, or references are made by, such first-mentioned Court may, of its own motion or on the application of the Court, take such order into consideration.

(2) If such court, after such consideration, is of opinion that such instrument should not have been admitted in evidence without the payment of duty and penalty under section 35, or without the payment of a higher duty and penalty than those paid, it may record a declaration to that effect, and determine the amount of duty with which such instrument is chargeable, and may require any person in whose possession or power such instrument then is, to produce the same, and may impound the same when produced.

Revision of certain decisions of Courts regarding sufficiency of stamps

(3) When any declaration has been recorded under sub-section (2), the Court recording the same shall send a copy thereof to the Collector, and, where the instrument to which it relates has been impounded or is otherwise in the possession of such Court, shall also send him such instrument.

(4) The Collector may thereupon, notwithstanding anything contained in the order admitting such instrument in evidence, or any certificate granted under section 42, or in section 43, prosecute any person for any offence against the Stamp-law which the Collector considers him to have committed in respect of such instrument:

Provided that—

- (a) no such prosecution shall be instituted where the amount (including duty and penalty) which, according to the determination of such Court, was payable in respect of the instrument under section 35, is paid to the Collector, unless he thinks that the offence was committed with an intention of evading payment of the proper duty;
- (b) except for the purposes of such prosecution, no declaration made under this section shall affect the validity of any order admitting any instrument in evidence, or of any certificate granted under section 42.

CHAPTER VII

CRIMINAL OFFENCES AND PROCEDURE

62. (1) Any person—

- (a) drawing, making, issuing, endorsing or transferring, or signing otherwise than as a witness, or presenting for acceptance of payment, or accepting, paying or receiving payment of, or in any manner negotiating, any bill of exchange payable otherwise than on demand or promissory note without the same being duly stamped; or
- (b) executing or signing otherwise than as a witness any other instrument chargeable with duty without the same being duly stamped; or

Penalty for executing, etc., instrument not duly stamped

(c) voting or attempting to vote under any proxy not duly stamped;

shall for every such offence be punishable with fine which may extend to five hundred Taka:

Provided that, when any penalty has been paid in respect of any instrument under section 35, section 40 or section 61, the amount of such penalty shall be allowed in reduction of the fine (if any) subsequently imposed under this section in respect of the same instrument upon the person who paid such penalty.

(2) If a share-warrant is issued without being duly stamped, the company issuing the same, and also every person who, at the time when it is issued, is the managing director or secretary or other principal officer of the company, shall be punishable with fine which may extend to five hundred Taka.

Penalty for failure to cancel adhesive stamp

63. Any person required by section 12 to cancel an adhesive stamp, and failing to cancel such stamp in manner prescribed by that section, shall be punishable with fine which may extend to one hundred Taka.

Penalty for omission to comply with provisions of section 27

64. Any person who, with intent to defraud the Government, —

- (a) executes any instrument in which all the facts and circumstances required by section 27 to be set forth in such instrument are not fully and truly set forth; or,
- (b) being employed or concerned in or about the preparation of any instrument, neglects or omits fully and truly to set forth therein all such facts and circumstances; or
- (c) does any other act calculated to deprive the Government of any duty or penalty under this Act;

shall be punishable with fine which may extend to [fifty thousand taka and shall also be liable to pay the amount of the money by which the Government has been defrauded due to his act or omission under clause (a), (b) or (c)].

Any person who, -

(a) being required under section 30 to give a receipt, refuses or neglects to give the same; or,
(b) with intent to defraud the Government of any duty, upon a payment of money or delivery of property exceeding twenty Taka in amount or value, gives a receipt for an amount or value not exceeding twenty Taka, or separates or divides the money or property paid or delivered;

Penalty for refusal to give receipt, and for devices to evade duty on receipts

Any person who, -

(a) receives, or takes credit for, any premium or consideration for any contract of insurance and does not, within one month after receiving, or taking credit for, such premium or consideration, make out and execute a duly stamped policy of such insurance; or
(b) makes, executes or delivers out any policy which is not duly stamped, or pays or allows in account, or agrees to pay or allow in account, any money upon, or in respect of, any such policy;

Penalty for not making out policy, or making one not duly stamped

be punishable with fine which may extend to two hundred

67. Any person drawing or executing a bill of exchange otherwise than on demand or a policy of marine insurance purporting to be drawn or executed in a set of two or more, and not at the same time drawing or executing on paper stamped the whole number of bills or policies of which a bill or policy purports the set to consist, shall be punishable with fine which may extend to one thousand Taka.

Penalty for not drawing full number of bills or marine policies purporting to be in sets.

68. Any person who, -

(a) with intent to defraud the Government of duty, draws, makes or issues any bill of exchange or promissory note bearing a date subsequent to that on which such bill or note is actually drawn or made; or

Penalty for post-dating bills, and for other devices to defraud the revenue

- (b) knowing that such bill or note has been so provided, endorses, transfers, presents for acceptance or payment or accepts, pays or receives payment of, such bill or note, or in any manner negotiates the same, or
- (c) with the like intent, practices or is concerned in any act, contrivance or device not specially provided for by this Act or any other law for the time being in force,

shall be punishable with fine which may extend to one thousand Taka.

Penalty for breach of rule relating to sale of stamps and for unauthorized sale

69. (a) Any person appointed to sell stamps who disobeys any rule made under section 74; and

(b) any person not so appointed who sells or offers for sale any stamp (other than ten poisha or five poisha adhesive stamp);

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred Taka or with both.

Institution and conduct of prosecutions

70. (1) No prosecution in respect of any offence punishable under this Act ¹[* * *] shall be instituted without the sanction of the Collector or such other officer as the Government generally, or the Collector specially, authorises in that behalf.

(2) The Chief Revenue-authority, or any officer generally or specially authorized by it in this behalf, may stay any such prosecution or compound any such offence.

(3) The amount of any such composition shall be recoverable in the manner provided by section 48.

Jurisdiction of Magistrates

71. No Magistrate other than a Magistrate whose powers are not less than those of a Magistrate of the second class, shall try any offence under this Act.

¹ The words "or any Act hereby repealed" were omitted by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

72. Every such offence committed in respect of any instrument may be tried in any district in which such instrument is found as well as in any district in which such offence might be committed under the Code of Criminal Procedure, 1898.

CHAPTER VIII

SUPPLEMENTAL PROVISIONS.

73. Every public officer having in his custody any registers, records, papers, documents or proceedings, the inspection whereof may tend to secure any duty, or to prove or lead to the discovery of any fraud or omission in relation to any duty, shall at all reasonable times permit any person authorised in writing by the Collector to inspect for such purpose the registers, books, papers, documents and proceedings, and to take such notes and extracts as he may deem necessary, without fee or charge.

Books, etc., to be open to inspection

74. The Government may make rules for regulating—

- (a) the supply and sale of stamps and stamped papers,
- (b) the persons by whom alone such sale is to be conducted, and
- (c) the duties and remuneration of such persons:

Powers to make rules relating to sale of stamps

Provided that such shall not restrict the sale of ten poisha or five poishah adhesive stamps.

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

Power to make rules generally to carry out Act

76. (1) All rules made under this Act shall be published in the official Gazette.

Publication of rules

(2) All rules published as required by this section shall, upon such publication, have effect as if enacted by this Act.

Delegation of
certain powers:

¹[76A. The ²[Government may] by notification in the
official Gazette, delegate,—

- (a) all or any of the powers conferred on it by sections 29, 33(3)(b), 70(1), 74 and 78 to the Chief Revenue-authority; and
- (b) all or any of the powers conferred on the Chief Revenue-authority by sections 45(1)(2), 56(1) and 79 (2) to such subordinate Revenue-authority as may be specified in the notification.]

Saving as to
court-fees

77. Except for the provisions as to copies contained in section 6A nothing in this Act contained shall be deemed to affect the duties chargeable under any enactment for the time being in force relating to court-fees.

Act to be
translated and
sold cheaply

78. ³[The Government] shall make provision for the sale of translations of this Act in ⁴[Bengali] as such price as it may, by notification in the official Gazette, fix per copy.

79. [Repealed by the Repealing and Amending Act, 1914 (Act X of 1914).]

¹ Section 76A was inserted by the Decentralization Act, 1914 (Act No. IV of 1914).

² The words "Government may" were substituted for the words and commas "Central Government, and the Provincial Government, may" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

³ The words "The Government" were substituted for the words "Every Provincial Government" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

⁴ The word "Bengali" was substituted for the words "the Principal Vernacular Languages of the territories administered by it" by section 3 and 2nd Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

¹[SCHEDULE I
(See section 3)]

Stamp duty on instruments

Sl. No.	Description of Instruments	Proper Stamp-duty
(1)	(2)	(3)

1 ACKNOWLEDGEMENT of a debt exceed, in One thousand Taka in amount or value, written or signed by, or on behalf of, a debtor in order to supply evidence of such debt in any book (other than a banker's pass book) or on a separate piece of paper where such book or paper is left in the creditors possession:

Ten Taka

Provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.

2 ADMINISTRATION BOND, including a bond given under section 6 of the Government Savings Banks Act, 1873, or section 291 or section 375 or section 376 of the Succession Act, 1925—

(a) Where the amount does not exceed Taka 5,000; and

The same duty as a BOND (No. 15) for such amount

(b) In any other case.

Two hundred Taka

3 ADOPTION-DEED, that is to say, any instrument (other than a WILL), recording

Five thousand Taka

¹ SCHEDULE I was substituted by section 4 of অর্থ আইন, ২০১২ (২০১২ সনের ২৬নং আইন). (with effect from 1st July, 2012).

an adoption, or conferring or purporting to confer an authority to adopt.

ADVOCATE - See ENTRY AS AN ADVOCATE (No. 30)

- 4 AFFIDAVIT, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing. Two hundred Taka

EXEMPTIONS

Affidavit or declaration in writing when made—

- (a) As a condition of enlistment under the Army Act, 1952;
- (b) For the immediate purpose of being filed or used in any court or before the officer of any court; or
- (c) For the sole purpose of enabling any person to receive any pension or charitable allowance.

- 5 AGREEMENT or MEMORANDUM OF AN AGREEMENT—

(a) If relating to the sale of a bill of exchange; Fifty Taka

(b) (i) If relating to the sale of Government Security; Subject to a minimum of 200 Taka; Two Taka for every Taka 5,000 or part thereof or the value of the security.

(ii) If relating to the sale of a share in an incorporated company or other body corporate; or Two Taka for every Taka 1,000 or part thereof, of the value of the share.

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(c) If not otherwise provided for.

Three hundred Taka

EXEMPTIONS

Agreement or Memorandum of Agreement —

(a) For or relating to the sale of goods or merchandise exclusively, not being a NOTE OR MEMORANDUM chargeable under (No. 43); and

(b) Made in the form of tenders to the Government for, or relating to any loan.

AGREEMENT TO LEASE- See LEASE (No. 35)

6 AGREEMENT relating to deposit of title-deeds, pawn or pledge, that is to say, any instrument evidencing an agreement relating to—

(1) The deposit to title-deeds, or instruments constituting or being evidence of the title to any property whatever (other than a marketable security); or

(2) The pawn or pledge of movable property where such deposit, pawn or pledge 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—

If drawn singly

If drawn in set of two for each part of the set

If drawn in set of three, for each part of the set

(a) If such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement;	0.5% of the value of the consideration	0.25% of the value of the consideration	0.12% of the value of the consideration
(b) If such loan or debt is repayable not more than three months from the date of such instrument.	0.3% of the value of the consideration	0.15% of the value of the consideration	0.08% of the value of the consideration

7 APPOINTMENT in execution of a power, whether of trustees or of property, movable or immovable, where made by any writing not being a Will. Two hundred Taka

8 APPEASEMENT or valuation made otherwise than under an order of the Court in the course of a suit—

(a) Where the amount does not exceed Taka 2,000;

The same duty as a BOTTOMRY BOND (No. 16) for such amount

(b) In any other case;

One hundred and fifty Taka

(c) Appraisal of valuation made for the information of one party only, and not being in any manner obligatory between parties either by agreement or operation of law.

One hundred and fifty Taka

EXAMPTION

Appraisal of crops for the purpose of asserting the amount to be given to a landlord as rent.

APPRENTICESHIP-DEED Including every writing relating to the service of tuition of any apprentice, clerk or servant placed with any master to learn any profession or employment, not being.

One hundred and fifty Taka

ARTICLES OF CLERKSHIP (No. 11)

EXAMPTION

Instruments of apprenticeship executed by a Magistrate under the Apprentices Act, 1850, or by which a person is apprenticed by, or all the charge of any public charity.

ARTICLES OF ASSOCIATION of a Company-

(a) Where the nominal share capital does not exceed Twenty lac Taka;

Three thousand Taka

(b) Where the nominal share capital exceeds Twenty lac Taka but not exceeding Six crore Taka;

Eight thousand Taka

(c) Where the nominal share capital exceeds Six crore Taka;

Twenty thousand Taka

(d) Articles of any Association not formed for profit and registered under section 28 of the Companies Act, 1994 (কোম্পানী আইন, ১৯৯৪ এর ধারা ২৮).

Two thousand Taka

- 11 ARTICLES OF CLERKSHIP or contract whereby any person first becomes bound to serve as a clerk in order to his admission as an Advocate in the Supreme Court. ASSIGNMENT, See CONVEYANCE (No.23), TRANSFER (No.62) and TRANSFER OF LEASE (No. 63) as the case may be.

ATTORNEY, See POWER OF ATTORNEY. AUTHORITY TO ADOPT, See ADOPTION DEED (No. 3)

- 12 AWARD that is to say, any decision in writing by an Arbitrator or Umpire, not being an award directing a partition on a reference made otherwise than by an order of the Court in the case of a suit-

(a) Where the amount or value of the property to which the award relates as set forth in such award, does not exceed Two lac Taka;

1.5% subject to a maximum of Four hundred Taka

(b) If it exceeds Two lac Taka.

½% subject to a maximum of Twenty thousand Taka

- 13 BILL OF EXCHANGE, as defined by section 2(2) not being a Bond, Bank note or Currency note.
- | | | | |
|--|--|---|---|
| | If drawn singly | If drawn in set of two for each part of the set | If drawn in set of three for each part of the set |
| (a) Where payable otherwise than on demand but not more than one year after date or sight; | 0.2% of the value of the consideration | 0.1% of the value of the consideration | 0.07% of the value of the consideration |
| (b) Where payable at more than one year after date or sight. | | 1% of the value of the consideration | |

14 BILL OF LADING (including a through bill of lading).

- | | |
|--|-------------------|
| (a) When the value of the consideration does not exceed Taka 10,000; | Fifty Taka |
| (b) When it exceeds Taka 10,000 but not exceeding 100,000 Taka; | One hundred Taka |
| (c) When it exceeds 100,000 Taka. | Five hundred Taka |

N.B.— If a bill of lading is drawn in parts, the proper stamp therefore must be borne by each of the set.

EXEMPTIONS

(a) Bill of lading when the goods therein described are received at a place within the limits of any port as defined under the Ports Act, 1908, and are to be delivered at another place within the limits of the same port; and

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

- 15 BOND, as defined by section 2(5), not being a DEBENTURE (No. 27), and not being otherwise provided for by this Act, or by the Court-fees Act, 1870. Fifty Taka

See ADMINISTRATION BOND (No. 2), BOTTOMRY BOND (No. 16), CUSTOMS BOND (No. 26), INDEMNITY BOND (No. 34), RESPONDENT A BOND (No. 56), M SECURITY BOND (No. 57)

EXEMPTIONS

Bond, when executed by—

(a) Headmen nominated under rules framed in accordance with the Irrigation Act, 1876 (Act III of 1876) section 99, for the due performance of their duties under that Act;

(b) 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 menses.

- 16 BOTTOMRY BOND, that is to say, any instrument whereby the master of a seagoing ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage. 2% of the value of the consideration

- 17 CANCELLATION-INSTRUMENT (including any instrument by which any instrument previously excited is canceled), if attested and not otherwise provided for. OF Two hundred Taka

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See also RELEASE (No. 55),
 REVOCATION OF SETTLEMENT
 (No. 58-B), SURRENDER OF LEASE
 (No. 61) and REVOCATION OF TRUST
 (No. 64-B)

18 CERTIFICATE OF SALE (in respect of
 each property put up as a separate lot and
 sold) granted to the purchase of any
 property sold by public auction by a Civil
 or Revenue Court or Collector or other
 Revenue Officer—

(a) Where the purchase money does not exceed Taka 5,000; and One hundred Taka

(b) In any other case.

The same duty as a
 conveyance (No. 23) for
 a consideration equal to
 the amount of the
 purchase money only

EXEMPTION

Where a house mortgaged with the
 Bangladesh House Building Finance
 Corporation established under the
 Bangladesh House Building Finance
 Corporation Order, 1973 (President's
 Order No. 7 of 1973), is purchased by the
 Bangladesh House Building Finance
 Corporation itself in a public auction by a
 Civil Court or by Artha Rin Adalat
 established under অর্থ ঋণ আদালত আইন,
 ১৯৯০ (১৯৯০ সনের ৪নং আইন) or a Revenue
 Court or Collector or any other Revenue
 Officer, no stamp duty, will be by the said
 Corporation.

19 CERTIFICATE, or other document
 evidencing the right or title of the holder
 thereof, or any other person either to any
 shares, script or stock in or of any
 incorporated company or other body
 corporate, or to become proprietor of
 shares script or stock in or of any such
 Twenty Taka

company or body. See also LETTER OF ALLOTMENT OF SHARES (No. 36)

- 20 CHARTER PARTY, that is to say, any instrument (except an agreement for the hire of a tug-steamer) whereby a vessel or some specified, principal part thereof is let for the specified purposes of the chartered, whether it includes a penalty clause or not. Five hundred Taka
- * * *
- 22 COMPOSITION DEED, that is to say any instrument executed by a debtor, where by he conveys his property for the benefit of his creditors, or whereby payment of a composition or dividend on their debts is secured to the creditors, or whereby provision is made for the continuance of the debtor's business, under the supervision of Inspectors or under letters of license, for the benefit of his creditors. Two hundred Taka
- * * *
- 23 CONVEYANCE, as defined by section 2(10), not being a transfer charged or exempted under(No. 62). 3% of the value of the consideration

EXEMPTION

Assignment of copyright under the Copy Right Ordinance, 1962, section 14, CO-PARTNERSHIP DEED (See Partnership No. 46)

- 24 COPY, or extract certified to be a true copy of extract by order of any public officer and not chargeable under the law for the time being in force relating to court-fees—

(i) If the original was not chargeable with duty, or if the duty with which it was chargeable does not exceed Taka One hundred; and

Thirty Taka

(ii) If any other case.

Fifty Taka

EXEMPTIONS

(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose;

(b) Copy of, or extract from by register relating to births, baptisms, naming, dedications, marriages, divorces, or burials.

25

COUNTERPART, or Duplicate of any instrument, chargeable with duty and in respect of which the proper duty has been paid—

(a) If the duty with which the original instrument is chargeable does not exceed Taka Two hundred; and
(b) In any other case.

The same duty as is payable on the original.

One hundred Taka

EXEMPTION

Counterpart of any lease granted to a cultivator, when such lease is exempted from duty.

26

CUSTOMS BOND-

(a) Where the amount does not exceed One thousand Taka
Taka Twenty lac; and

(b) In any other case exceeding Taka Two thousand Taka
Twenty lac.

27. DEBENTURE (whether a mortgagee debenture or not) being a marketable security transferable—

(a) By endorsement or by a separate instrument of transfer; and The same duty as a
BOTTOMRY BOND
(No.16) for the same
amount

(b) By delivery. The same duty as a
CONVEYANCE (No.
23) for a consideration
equal to the face amount
of the debenture

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 a 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 there under whereby the company or body borrowing' makes over, in whole or in part their property to trustees for the benefit of the debentures holders provided that the debentures so issued are expressed to be issued in terms of the said mortgage- deed.

See also BOND (No. 15) and sections 8 and 55

Declaration of any trust: See TRUST (No. 64)

DELIVERY ORDER in respect of goods, that is to say, any instrument entitling any person therein named, or his assigns or the holder thereof, to the delivery of any goods lying in any dock or port, or in any ware house in which goods are stored or deposited on rent or hire, or upon any wharf, such instrument being signed by on behalf of the owner of such goods upon the sale or transfer of the property therein, when such goods exceed in value Two thousand Taka. Fifty Taka

Deposit of Title-Deeds See Agreement relating to Deposit of title-deeds pawn or-pledge (No. 6).

DISSOLUTION OF PARTNERSHIP
see PARTNERSHIP (No. 46)

29 DIVORCE-INSTRUMENT OF, that is to say, any instrument by which any person effects the dissolution of his marriage. Five hundred Taka

DOWER-INSTRUMENT OF See settlement (No. 58)

30 DUPLICATE See Counterpart (No. 25)

PERMISSION, to practice as an advocate before the Supreme Court. One thousand and five hundred Taka

31 EXCHANGE OF PROPERTY
INSTRUMENT OF EXTRACT
See Copy (No. 24)
The same duty as conveyance (No. 23) for a consideration equal to the value of the property

of greatest value as set forth in such instrument

32 FURTHER CHARGE-INSTRUMENT OF, that is to say, any instrument imposing a further charge on mortgaged property-

(a) When the original mortgagee is one of the descriptions referred to in clause (a) of Article No. 40 (1) (that is, with possession);

The same duty as CONVEYANCE (No. 23) for a consideration equal to the amount of the further charge secured by such instrument

(b) When such mortgagee is one of the descriptions referred to in clause (b) of Article No. 40 (1) (that is, without possession)-

(i) If at the time of execution of the instrument of further charge possession of the property is given or agreed to be given under such instrument;

The same duty as CONVEYANCE (No. 23) for a consideration equal to the total amount of the charge (including the original mortgagee and any further charge already made), less the duty already paid on such original mortgagee and further charge

(ii) If possession is not so given.

The same duty as a BOND (No. 15) for the amount of the further charge secured by such instrument

33 GIFT INSTRUMENT OF, not being a settlement (No. 58) or will or transfer (No 6):

The same duty as a CONVEYANCE (No. 23) for a consideration equal to the value of the

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Hiring Agreement or Agreement for service See Agreement (No. 5)

property as set forth in such instrument

INDEMNITY BOND INSPECTORSHIPS DEED, See Composition Deed (No. 22)

The same duty as a SECURITY BOND (No. 57) for the same amount

LEASE, including an under-lease or sub-lease and any agreement to let or sublet-

(a) Where by such lease the rent is fixed no premium is paid or delivered-

(i) Where the lease purports to be for a term of less than one year;

The same duty as a BOTTOMRY BOND (No. 16) for the whole amount payable or deliverable under such lease

(ii) Where the lease purports to be for a term exceeding one year but not exceeding five years;

The same duty as a BOTTOMRY Bond (No. 16) for a consideration equal to the amount or value of the average annual rent reserved

(iii) Where the lease purports to be for a term exceeding five years but not exceeding ten years;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to the amount or value of the average annual rent reserved

(iv) Where the lease purports to be for a term exceeding twenty years;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to twice the amount or value of the average annual rent reserved

(v) Where the lease purports to be for a term exceeding twenty years but not exceeding thirty years;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to three times the amount or value of the average annual rent reserved

(vi) Where the lease purports to be for a term exceeding thirty years but not exceeding one hundred years;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to four times the amount or value of the average annual rent reserved

(vii) Where the lease purports to be for a term exceeding one hundred years or in perpetuity;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to the case of a lease granted solely for agricultural purposes to one-tenth and in any other case to one-sixth of the whole amount of rents which would be paid or delivered in respect of the first fifty years of the lease

(viii) Where the lease does not purport to be for any definite term;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to three times 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

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(b) Where the lease is granted for a fine or premium or for money advanced and where no rent is reserved;

The same duty as a CONVEYANCE (No. 23) for a consideration equal to the amount or value of such fine or premium, or advanced as set forth in the lease

(c) Where the lease is granted for fine or premium or for money advanced in addition to rent reserved.

The same duty as a CONVEYANCE (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in the lease, in addition to the duty which would have been payable on such lease if no fine or premium or advance had been paid or delivered, provided that, in any case when an agreement to lease in stamped with the ad Valero stamp required for a lease and a lease in pursuance of such agreement is subsequently excited the duty on such lease shall not exceed Four hundred Taka.

EXEMPTION

Lease, executed in the case of a cultivator and for the purposes of cultivation (including a lease of trees for the production of goods or drink) without the payment of delivery of any fine or premium, when a definite term does not exceed one year or when the average

annual rent reserved does not exceed One thousand Taka.

In this exemption a lease for the purposes of cultivation shall include a lease of lands for cultivation together with a homestead or tank.

- 36 LETTER OF ALLOTMENT OF SHARES, in any company or proposed company or in respect of any loan to be raised by any company or proposed company
Twenty Taka
See. also CERTIFICATE or other Document (No. 19)
- 37 LETTER OF CREDIT, that is to say, any instrument by which one person authorizes another to give credit to the persons in whose favour it is drawn.
Three hundred Taka
LETTER OF GUARANTEE, See Agreement (No. 5)
- 38 LETTER OF LICENSE, that is to say, any agreement between a debtor and his creditor that the latter shall for a specified time, suspend their claims and allow the debtor to carry on business at his own discretion.
Three hundred Taka
- 39 MEMORANDUM OF ASSOCIATION OF A COMPANY—
Bangla
(a) If accompanied by articles of association under section 17 of the Companies Act, 1994. One thousand Taka
(b) If not as accompanied- Two thousand Taka

- (i) Where the nominal share capital does not exceed Taka five lac; and
 (ii) Where the nominal share capital exceeds Taka five lac. Three thousand Taka

EXEMPTION

Memorandum of any association not formed for profit and registered under section 26 of the Companies Act, 1913.

- 40 (1) MORTGAGEE DEED not being an agreement relating to deposit of title deeds, pawn or pledge (NO. 6), BOTTOMRY Bond (No. 16), Mortgagee of a Crop (No. 41), Respondentia Bond (No. 56), or security Bond (No. 57). The same duty as a CONVEYANCE (No. 23) for a consideration equal to the amount secured by such deed
- (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; The same duty as a BOND (No. 15) for the amount secured by such deed
- (b) When possession is not given or agreed to be given as aforesaid; Fifty Taka
- Explanation-A Mortgagor who gives to the mortgagees a power of attorney to collect rents of a lease of the property mortgaged or part thereof, is deemed to give possession within the meaning of this article.
- (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 duty stamped for every sum secured not exceeding Taka 10,000 and for every Taka 10,000 or paid One hundred Taka

thereof secured in excess of Taka.
10,000¹

EXEMPTIONS

(a) Instruments executed by persons taking advances under the Land Improvement Loans Act, 1883 or the Agriculturist Loans Act, 1884, or by their sureties as security for the payment of such advances; ¹[***]

(b) Letter of hypothecation accompanying a bill of exchange ²[; and

(c) Instruments executed by persons taking loan from Karmasangsthan Bank established by the Karmasangsthan Bank Act, 1998 (Act No. VII of 1998) as security for the recovery of such loans.]

(2) Mortgage Deed in favour of a bank or a financial institution in respect of a loan-

(a) Up to Twenty lac Taka; Two thousand taka

(b) Exceeds Twenty lac Taka but not Five thousand Taka

¹ The word "and" was omitted by section 3(a)(i) of অর্থ আইন, ২০১৩ (২০১৩ সনের ২৫নং আইন) (with effect from 1st July, 2013).

² The semi-colon and word "; and" was substituted for the full-stop (.) and thereafter paragraph (c) was added by section 3(a)(ii) of অর্থ আইন, ২০১৩ (২০১৩ সনের ২৫নং আইন) (with effect from 1st July, 2013).

exceeding One crore Taka;

(c) Exceeds One crore Taka.

Five thousand Taka for the first One crore Taka and for the remainder of the loan amount an additional duty at the rate of 1/10% of the remainder amount.

MORTGAGEE of a crop. Including any instrument evidencing an agreement to secure the repayment of a loan made upon any mortgagee of a crop. Where the crop is or is not in existence at the time of the mortgagee—

(a) When the loan is repayable not more than three months from the date of the instrument—

(i) For every sum secured not exceeding Ten Taka Taka 1,000; and

(ii) For every Taka 1,000 or part thereof Ten Taka secured in excess of Taka 1,000.

(b) When the loan is repayable more than three months but not more than eighteen months from the date of the instrument—

(i) For every sum secured not exceeding Ten Taka Taka 1,000; and

(ii) For every Taka 1,000 or part thereof Ten Taka secured in excess of Taka 1,000.

- 42 NOTARIAL ACT, that is to say, any instrument, endorsement, note, attestation certificate or entry note being a protest made or signed by a Notary Public in the execution of the duties of his office, if by any other person lawfully action as a Notary Public.
- See also PROTEST BILL or NOTE (No. 50).
- Two hundred Taka
- 43 NOTE OR MEMORANDUM, sent by broker or agent to his principal intimating the purchase or sale on account of such principal—
- (a) Of any goods exceeds in value Taka 1,000; and Twenty Taka
- (b) Of any stock or marketable security exceeds in value 1,000 Taka but not being a Government security; Twenty Taka for every Taka 10,000 or part thereof the value of the stock security
- (c) Of a Government security. As in (b)
- 44 NOTES OR PROTEST BY THE MASTER OF A SHIP. Three hundred Taka
See also protest by the Master of a Ship (No. 51)
- ORDER FOR THE PAYMENT OF MONEY See Bill of Exchange (No. 13).
- 45 PARTITION- INSTRUMENT Of, as defined by section 2(15). The same duty as a BOND (No. 15) for the amount of the value of the separated share or shares of the property

N.B. The largest share remaining after the property is partitioned (or if there are two or more shares of equal value and not smaller than any of the other shares than one of such equal shares) shall be deemed to be that from which the other shares are separated.

Provided always that—

(a) When an instrument of partition containing an agreement to divide property in severally is executed and partition is effected in pursuance of such agreement the duty chargeable upon the instrument effecting such partition shall be reduced by the amount of duty paid in respect of the first instrument, but shall not be less than taka fifty;

(b) Where land is held on revenue settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at not more than five times the annual revenue;

(c) Where a final order for effecting a Civil

Court or an award by an Arbitrator directing a partition, is stamped with the stamp required for an instrument of partition and an instrument of partition in pursuance of such order or award is subsequently executed, the duty on such instrument shall not exceed taka fifty.

46 A-INSTRUMENT OF—

(a) Where the capital of the partnership does not exceed Taka 50,000; and

One thousand Taka

(b) In any other case.

Two thousand Taka

B-Dissolution of pawn or pledge.

One thousand Taka

See Agreement relating to deposit of title deeds, pawn or pledge (No. 6)

47 POLICY OF INSURANCE—

A-Sea Insurance (see section 7)

(1) For or upon any voyage—

(i) Where the premium or consideration does not exceed the rate of twelve poisha or one-eighth ($1/8$) *per centum* of the amount insured by the policy; One Taka;

(ii) In any other case, for every thousand five hundred Taka or any part thereof of an insurance policy. One Taka;

(2) For time—

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(iii) For every One thousand Taka or for any part thereof of an insurance policy made for any time not exceeding 12 (twelve) months. One Taka;

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 Taka 10,000; and

Twenty five Taka

(ii) In any other case

Fifty Taka

(2) In respect of each receipt for any payment of a premium on any renewal of an original policy.

One-half of the duty payable in respect of the original policy in addition to the amount, if any, chargeable under No. 53

C- Accident and Sickness

Insurance—

(i) In any case of single accident or any sickness or death from accident.

(a) Taka 2 (two), where the amount payable is 10,000 (ten thousand) Taka or less;

(b) Taka 1(one), where the amount payable exceeds Taka 10,000 (ten thousand) for every Taka 2,500 (two thousand and five hundred) or part thereof; and

(c) In case of a policy of

insurance against death from accident, when the annual premium payable does not exceed Two Taka fifty poisha per 1,000 (one thousand) Taka, the stamp duty on such instrument shall be five poisha for every 1,000 Taka, or part thereof.

D-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, for every Taka 100 or part thereof payable as premium. Two Taka

E-Life Insurance or other insurance not specifically provided for, except such a Reinsurance as is described in Division F of this Article—

(i) For every sum insured not exceeding Taka 1,000; Two Taka

(ii) For every sum insured exceeds Taka 1,000 but not exceeding Taka 5,000; and Four Taka

(iii) For every sum insured exceeds Taka 5,000 but not exceeding Taka 10,000 and also for every Taka 5,000 for part thereof in excess of Taka 10,000. Five Taka

EXEMPTION

Policies of life insurance granted by the

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Director-General of Post-Offices in accordance with rules for Postal Life Insurance issued under the authority of the Government.

F-Reinsurance 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 Taka Two

GENERAL EXEMPTION

Letter of cover or engagement to issue a policy of Insurance:

Provided that, unless such letter or engagement bears the stamp prescribed by this Act for such policy, nothing shall be claimable there under, nor shall it be available for any purpose, except to compel the delivery of the policy therein mentioned.

[48] POWER OF ATTORNEY as defined by section 2, clause (21), not being a proxy—

(a) When executed for the sole purpose of procuring the registration of one or more document in relation to a single transaction or for admitting execution of one or more such documents; Five hundred Taka

¹ Article No. 48 was substituted by section 3(b) of অর্থ আইন, ২০১৩ (২০১৩ সনের ২০নং আইন) (with effect from 1st July, 2013).

- (b) When executed for the purpose of the section 2, clause (7), of the power of Attorney Act, 2012; One thousand Taka
- (c) When power of attorney given by a loanee while obtaining loans, advances or any other credit facilities from any scheduled bank or financial institution empowering such bank or institution to realise the loan amount from him, in the event of default by him, by selling his immovable property; ¹[***] One thousand Taka

Explanation—“In this clause—

- (i) “Financial institution” means the Bangladesh Shilpa Bank established by the Bangladesh Shilpa Bank Order, 1972 (President’s Order No. 129 of 1972), the Bangladesh Shilpa Rin Sangstha established by the Bangladesh Shilpa Rin Sangstha Order, 1972 (President’s Order No. 128 of 1972) and the Bangladesh House Building Finance Corporation established under the Bangladesh House Building Finance Corporation Order, 1973 (President’s Order No. 7 of 1973),
- (ii) “Scheduled bank” means a scheduled bank as defined in clause (j) of article 2 of the

¹ The word “and” was omitted by section 2 of অর্থ আইন, ২০১৪ (২০১৪ সনের ১নং আইন) (with effect from 1st July, 2014).

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Bangladesh Bank Order, 1972
(President's Order No. 127 of
1972); [****]

(cc)

When an irrevocable power of attorney comprising immovable property is executed without any consideration as defined by section 2, clause (2), of the Power of Attorney Act, 2012, authorizing the attorney to sell, to make contract for sale or to execute mortgage deed in favour of a bank or a financial institution in respect of a loan; and

One thousand Taka.]

(d) When an irrevocable power of attorney is executed for consideration as defined by section 2, clause (2), of the Power of Attorney Act, 2012.

3% of the value of the consideration, which is not less than six thousand Taka and not more than sixty thousand Taka.]

49 PROMISSORY NOTE as defined by section 2 (22)-

(a) When payable on demand-

(i) When the amount or value does not exceed Taka 2,000;

Ten Taka

(ii) When the amount or value exceeds Taka 2,000 but does not exceed Taka 10,000;

Twenty Taka

(iii) In any other case.

Fifty Taka

(b) When payable otherwise than on

The same duty as a Bill

The word "and" was omitted by section 2 of অর্থ আইন, ২০১৪ (২০১৪ সনের ৪নং আইন) (with effect from 1st July, 2014).

Clause (cc) was inserted by section 2 of অর্থ আইন, ২০১৪ (২০১৪ সনের ৪নং আইন) (with effect from 1st July, 2014).

demand

OF EXCHANGE (No. 13) for the same and payable otherwise than on demand

- 50 PROTEST OF BILL, or Notes, that is to say, any declaration in writing made by a Notary Public, or other person lawfully acting as such attesting to dishonor of a Bill of Exchange or Promissory Note. Two hundred Taka
- 51 PROTEST BY THE MASTER OF A SHIP, that is to say, any declaration of the particulars of her voyage drawn up by him with a view to the adjustment of losses or the calculation of averages, and every declaration in writing made by him against the charterers or the consignors for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such. Three hundred Taka
- See also Note of Protest by the Master of a Ship (No.44)
- 52 PROXY empowering any person to vote at any one election of the Commissioners of a Paurashava or at any one meeting of (a) members of an incorporated company or other body corporate whose stock of fund is or are divided into shares and transferable, (b) a local authority, or (c) proprietors, members or contributors to the funds of any institution. Twenty Taka
- 53 RECEIPT as defined by section 2(23) for any money or other property the amount or value of which exceeds Taka 400. Ten Taka

EXEMPTIONS

Receipt-

- (a) Endorsed on or contained in any instruments duty stamped or any instrument exempted under the proviso to section 3 (instrument excited on behalf of the Government) or any cheque or bill or exchange payable on demand acknowledging the receipt or the consideration money herein expressed or the receipt of any principal money, interest or annuity, or other periodical payment thereby secured;
- (b) For any payment of money without consideration;
- (c) For any payment of rent by a cultivator on account of land assessed to Government revenue;
- (d) For pay or allowances by non-commissioned or petty officers, soldiers, sailors or airman of military, naval or air forces when serving in such capacity or by mounted police constables;
- (e) Given by holders of family certificates in cases where the person from whose pay or allowances the sum comprised in the receipt has been assigned is a non-commissioned or petty officer, soldier, sailor or airmen of any of the said forces and serving in such capacity;
- (f) For pensions or allowances by persons receiving such pensions or allowances in

respect of their service as such non-commissioned or petty officers, soldiers, sailors or airmen and not serving the Government in any other capacity;

(g) Given by a headman or lambardar for land revenue or taxes collected by him;

(h) Given for money or securities for money deposited in the hands of any banker, to be accounted for:

Provided that the same is not expressed to be received of or by the hands of, any other than the person to whom the same is to be accounted for.

- 54 RE-CONVEYANCE OF THE SAME DUTY AS A
MORTGAGEED PROPERTY CONVEYANCE (No. 23) FOR A AMOUNT OF SUCH
(a) If the consideration for which the consideration as set forth
property was mortgaged does not exceed in re-conveyance
Taka 1,000; and
- (b) In any other case. Three hundred Taka
- 55 RELEASE that is to say, any instrument
whereby a person renounces a claim upon
another person or against any specified
property-
- (a) If the amount or value of the claim The same duty as BOND
does not exceed Taka 2,000; and (No.15) for such amount
or value as set forth in the
release
- (b) In any other case. Two hundred Taka
- 56 RESPONDENT A BOND that is to say, The same duty as a
any instrument securing a loan on the BOTTOMRY BOND

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cargo laden or to be laden or board a ship and making repayment contingent on the arrival of the cargo at the post of destination. (No. 16) for the amount of the loan secured

REVOCAION OF TRUST or SETTLEMENT See settlement (No. 58); Trust (No. 64)

SECURITY BOND OR MORTGAGEE DEED, executed by way of a liability, or for the due execution of an office or to account for money or other property received by virtue thereof, or excited by a surety.

By a surety to secure the due performance of a contract-

(a) When the amount secured does not exceed Taka 2,000; and The same duty as a Bond (No. 15) for the amount secured.

(b) In any other case.

Two hundred Taka

EXEMPTIONS

Bond or other instrument, when executed-

(a) By headman nominated under the rules framed in accordance with the Irrigation Act, 1876 (Act III of 1876) section 99 for the due performance of their duties under that Act;

(b) By any person for the purport 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 menses;

(c) Excepted by persons taking advances under the Land Improvement Loans Act, 1883, or the Agriculturists' Loans Act, 1884 or by their sureties, as security for the repayment of such advances;

(d) Executed by servants of the Government or their sureties to secure the due execution of an office, or the due accounting for money or other property received by virtue thereof.

58

SETTLEMENT-

A-Instrument of (including a deed or of dower).

The same duty as a BOTTOMRY BOND (No. 16) for a sum equal to the amount or value of the property settled as set forth in such settlement: Provided that where agreement to settle is stamped with the stamp required for an instrument or settlement, and an instrument of settlement in pursuance of such agreement is subsequently executed the duty on such instrument shall not exceed fifty taka.

EXEMPTION

Deed of dower executed on the occasion of a marriage between Muslims-

(i) Dower up to Taka Twenty thousand;

Nil

(ii) Above Taka Twenty thousand.

1/2% ad valorem

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B - Revocation of

See also Trust (No. 64)

The same duty as a

BOTTOMRY BOND
(No. 16) for a sum equal to
the amount or value of the
property concerned as set
forth in the instrument of
revocation.

SHARE WARRANTS TO BEARER
issued under the Companies Act, 1913-

4% of the value of the
Consideration

EXEMPTIONS

Share warrant when issued by a company
in pursuance of the Companies Act, 1913,
section 43 to have effect only upon
payment, as composition for that duty, to
the Collector of Stamp revenue of-

(a) One a half per centum of the whole
subscribed capital of the company; or

(b) If any company which has paid the
said duty or composition in full,
subsequently issues an addition to its
subscribed capital one and a half per
centum of the additional capital so issued.

60 SHIPPING ORDER for or relating to the
conveyance of goods on board of any
vessels.

Fifty Taka

61 SURRENDER OF LEASE

(a) When the duty with which the lease is
changeable does not exceed Four hundred
Taka; and

The duty with which such
lease is chargeable

(b) In any other case.

One hundred Taka

EXEMPTION

Surrender of Lease when such lease is exempted from duty.

62 TRANSFER (whether with or without consideration)-

(a) Of shares in an incorporated company or other body corporate;

(b) Of debentures being marketable securities, whether the debenture is liable to duty or not, except debentures provided for by section 8;

(c) Of any interest secured by bond, mortgagee-deed in respect of which duty has been paid under article No. 40 or policy of insurance-

(i) If the duty on such bond, mortgagee-deed or policy does not exceed Four hundred Taka; and

(ii) In any other case.

(d) Of any property under the Administrator General's Act, 1913, section 25;

(e) Of any trust property without consideration from one trust to another trustee or from a trustee of a beneficiary.

1.5% of the value of the consideration

The same duty is prescribed under clause (a) of this Article for the value of the share equal to the face amount of the debenture.

The duty with which such bond, mortgagee-deed or policy of insurance is chargeable.

One hundred Taka

One hundred Taka

Fifty Taka

EXEMPTIONS

(I) Transfers by endorsement-

(a) Of a bill of exchange, cheque or promissory note;

(b) Of a bill of lading, delivery order, warrant for goods, or other mercantile

B-Revocation of trust of any property when made by instrument other than will.

set forth in the instrument.

The same duty as a BOTTOMRY BOND (No. 16) for a sum equal to the amount of value of the property concerned as set forth in the instrument but not more than two hundred taka.]

See also SETTLEMENT (No.58)

VALUATION-

See APPARTMENT (No. 8)]

- 65 WARRANT FOR GOODS, that is to say [Fifty Taka.] instrument evidencing the title of any person therein named, or his assigns or the holder thereof, to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.
-