Indian Stamp Act, 1899

Section 3 - Instruments Chargeable with Duty

Subject to the provisions of this Act and theexemptions contained in Schedule I, the following instruments shall bechargeable with duty of the amount indicated in that Schedule as the properduty therefore, respectively, that is to say-

(a)every instrument mentioned in that Schedulewhich, not having been previously executed by any person, is executed in 1 [India] on or after the first day of July, 1899;

(b)every bill of exchange 2 [payable otherwise than on demand]3 *** or promissory notedrawn or made out of 4 [India] on or after that day and accepted or paid, or resented foracceptance or payment, or endorsed, transferred or otherwise negotiated, in 5 [India]; and

(c)every instrument (other than a bill of exchange6 ***orpromissory note) mentioned in that Schedule, which, not having been previouslyexecuted by any person, is executed out of 7 [India] on or after that day, relates to any property situate, or to anymatter or thing done or to be done, in 8 [India] and is received in 9 [India].

Provided that no dutyshall be chargeable in respect of-

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

(2)anyinstrument for the sale, transfer or other disposition, either absolutely or byway of mortgage or otherwise, of any ship or vessel, or any part, interest,share or property of or in any ship or vessel registered under the MerchantShipping Act 1894, or under Act 19 of 1838, or the Indian Registration of ShipsAct, 1841, as amended by subsequent Acts.

10 [3] any instrument executed ,by, or , on behalfof, or, in favour of, the Developer , or Unit or in connection with thecarrying out of purposes of the Special Economic Zone,

Explanation- For the purposes of this clause, theexpressions "Developer", "Special Economic Zone" and"Unit" shall have meanings respectively assigned to them in clause(g), (za) and (zc) of Section 2 of the Special Economic Zones Act, 2005]

11 [12 [3A *****]]

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1. Substituted by Act43 of 1955, Section 2 for "the States" w. e. f. 1-4-1956.

2. Inserted by Act 5of 1927, Section 5.

3 The word"cheque" omitted by Act 5 of 1927, Section 5.

4. Substituted by Act43 of 1955, Section 2, for "the States" w. e. f. 1-4-1956.

5. Substituted by Act43 of 1955, Section 2, for "the States" w. e. f. 1-4-1956.

6. The word "cheque"omitted by Act 5 of 1927, Section 5.

7. Substituted by Act43 of 1955, Section 2, for "the States" w. e. f. 1-4-1956.

8.Substituted by Act43 of 1955, Section 2, for "the States" w. e. f. 1-4-1956.

9. Substituted by Act43 of 1955, Section 2, for "the States" w. e. f. 1-4-1956.

10. Inserted by the Special Economic Zones Act,2005, section 57 and Third Schedule, Pt. III

11. Omitted by Act 13of 1973, Section 2.

12. Inserted by Act 44of 1971, Section 2.