
Karnataka Stamp (Second Amendment) Act, 2007**1 of 2008****[11 February 2008]****CONTENTS**

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Karnataka Stamp (Second Amendment) Act, 2007**1 of 2008****[11 February 2008]**

An Act further to amend the Karnataka Stamp Act, 1957. Whereas it is expedient further to amend the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957), for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the Fifty-eighth year of the Republic of India, as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Karnataka Stamp (Second Amendment) Act, 2007.

(2) It shall come into force on such date as the Government may, by notification, appoint.

2. Amendment Of Section 2 :-

In section 2 of the Karnataka Stamp Act, 1957 (Karnataka Act 34 of 1957) (hereinafter referred to as the principal Act),-

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

"(e) "Duly stamped " as applied to an instrument means that the

instrument bears impressed stamp of not less than the proper amount and that such stamp has been impressed in accordance with law for the time being in force in the territories of the State of Karnataka.

(2) for clause (h) the following shall be substituted, namely:-

"(h) "Impressed stamp" means;

(i) impression made with franking machine;

(ii) a certificate or endorsement made and attested as may be prescribed by the Deputy Commissioner or the authorised officer or the proper officer, as the case may be in the territories of the State of Karnataka.

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

"(r) "Stamp" means impressed stamp and "stamp paper " means a paper bearing the impressed stamp."

3. Amendment Of Section 10 :-

In section 10 of the principal Act, in sub-section (2), for clause (b), the following shall be substituted, namely:-

"(b) in case of an instrument affixed or endorsed with certificate of stamp the manner of recording such certificate".

4. Omission Of Sections 11 And 12 :-

Sections 11 and 12 of the principal Act shall be omitted.

5. Omission Of Section 60 :-

Section 60 of the principal Act shall be omitted.

6. Substitution Of Section 63 :-

For section 63 of the principal Act, the following shall be substituted, namely:-

63. Penalty for franking, recording certificate or embossing contrary to the Act or the rules.- Any person who is authorised to frank or record the certificate of stamp or emboss the duty acts in contravention of the Act or the rules made thereunder shall, on conviction, be punishable with imprisonment for a term which shall not be less than one month but which may extend to six months or with fine which may extend to five thousand rupees or with both".

7. Transitional Provision :-

Notwithstanding anything contained in the principal Act as amended by this Act, all the provisions of the principal Act as in force immediately before the date of commencement of this Act shall continue to apply to the stamps used or in the process of use or to any proceeding pending on such date or may be commenced after such date in respect of such stamp as if the provisions of the principal Act as in force before such date are in force.

8. Power To Remove Difficulties :-

If any difficulty arises in giving effect to the provisions of the Karnataka Stamp (Second Amendment) Act, 2007, the Government may, by notification in the official Gazette make such provisions as appear to it to be necessary or expedient for removing the difficulty.