

## **Bombay Stamp (Amendment) Act, 2003**

**10 of 2003**

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## **Bombay Stamp (Amendment) Act, 2003**

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### PREAMBLE

An Act

further to amend the Bombay Stamp Act, 1958

WHEREAS both Houses of the State Legislature are not in session;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Bombay Stamp Act, 1958 for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgated the following Act, namely:--

### **1. Short Title And Commencement :-**

(1) This Act may be called the Bombay Stamp (Amendment) Act, 2003.

(2) It shall be deemed to have come into Force from the 3rd February, 2003.

### **2. Amendment Of Section 10 Of Bom. Lx Of 1958 :-**

In section 10 of the Bombay Stamp Act, 1958 (hereinafter referred to as "the principal Act"),--

(a) after sub-section (2), the following sub-section shall be inserted, namely:--

"(2-1A) From the date of coming into force of the Bombay Stamp

(Amendment) Ordinance, 2003, in the case of instruments, stamped with impressed stamps, such stamps shall bear the stamp and signature with date, of the authorised officer of the Treasury, Sub-treasury or the General Stamp Office in the State or of the proper officer appointed by the Chief Controlling Revenue Authority, Superintendent of Stamp or Collector of Stamps in the State:

Provided that, the Chief Controlling Revenue Authority may, by notification in the Official Gazette, from the specified date, do away with such requirement.";

( b ) for sub-section (3), the following sub-section shall be substituted, namely:--

"(3) Notwithstanding anything contained in sub-section (1), the Chief Controlling Revenue Authority, shall, by notification in the Official Gazette, specify the instruments in Schedule I in respect of which the duties chargeable, as specified in column 2 of the said Schedule shall be paid,--

(1) by means of a franking machine;

(2) by way of cash;

(3) by demand draft; or

(4) by pay, order, in any Government Treasury or Sub-Treasury or General Stamp Office, and such payment shall be indicated on such instrument by endorsement to that effect made on the instrument by the proper officer duly notified by the Chief Controlling Revenue Authority for this purpose.".

### **3. Insertion Of Section 10A In Bom. Lx Of 1958 :-**

After section 10 of the Principal Act, the following section shall be inserted, namely:--

"10A. Duties to be paid in cash, by demand draft or by pay order by Government controlled bodies, Insurance Companies and Banks Notwithstanding anything contained in section 10, the State Government may, by notification in the Official Gazette, direct that, in case of the bodies owned or controlled by the State or Central Government, Insurance Companies and Nationalised Banks, the duty may be paid by their Head Office or Regional Office or Zonal Office by way of cash, or by demand draft or by pay order, in any Government Treasury or sub-Treasury or General Stamp Office, Mumbai and the proper officer, not below the rank of Branch Manager, so notified by the Chief Controlling Revenue Authority, shall make an endorsement on the instrument as follows,--

"Stamp duty of Rs. .... paid in cash or by demand draft  
o r by pay order, vide Receipt/Challan No..... dated the  
.....",  
Signature of Proper Officer]