

Bombay Stamp (Amendment) Act, 2009

5 of 2010

[12 April 2010]

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[First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette" on the 12th April 2010].
An Act further to amend the Bombay Stamp Act, 1958. Whereas it is expedient further to amend the Bombay Stamp Act, 1958, for the purposes hereinafter appearing; it is hereby enacted in the Sixtieth Year of the Republic of India as follows:-

1. Short Title :-

This Act may be called the Bombay Stamp (Amendment) Act, 2009.

2. Amendment Of Section 6 Of Bom. Ix Of 1958 :-

In section 6 of the Bombay Stamp Act, 1958 (hereinafter referred to as "the principal Act"), in the proviso, for the words "ten rupees" the words "one hundred rupees" shall be substituted.

3. Insertion Of Section 10C In Bom. Lx Of 1958 :-

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

"10C. Duties to be paid in cash or by demand draft or by pay order by notary:- Notwithstanding anything contained in section 10, in

case of the notary appointed under the Notaries Act, 1962, for the whole or any part of the State of Maharashtra, the duty payable for performing the functions entrusted to him under any law for the time being in force, may be paid by him 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 notary shall make an endorsement on the instrument as follows, namely:-

Stamp Duty of Rs.paid* in cash/by demand draft/by pay order, vide *Receipt/Challan No., dated the, in * Government Treasury/Sub-Treasury Office at/ the General Stamp office, Mumbai.

Seal of the notary. Signature of the notary with date.

* Strike out whatever is not applicable."

4. Amendment Of Section 48 Of Bom. Lx Of 1958 :-

In section 48 of the principal Act, in clause (1), in the proviso, after the words "the dated of the Instrument", the following portion shall be added, namely:-

"or where such agreement is cancelled by a registered cancelled by a registered cancellation deed on the grounds of, dispute regarding the premises concerned, inadequate finance, financial dispute in terms of agreed consideration, or afterwards found to be illegal construction or suppression of any other material fact, the application may be within two years from the date of such registered cancellation deed."

5. Amendment Of Schedule I Of Bom. Lx Of 1958 :-

In Schedule I appended to the principal Act, in article 36A, in clause (a), in paragraph (1):-

(a) In entry (A), in column 2, for the words "Seven hundred fifty rupees" the words "Six hundred rupees" shall be substituted;

(b) In entry (B), in column 2, for the words "One thousand five hundred rupees" the words "One thousand two hundred rupees" shall be substituted;

(c) In entry (c), in column 2, for the words "Three thousand rupees" the words "Two thousand rupees" shall be substituted.