

**Indian Stamp And The Registration (Tamil Nadu  
Amendment) Act, 2006**

**13 of 2008**

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**Indian Stamp And The Registration (Tamil Nadu  
Amendment) Act, 2006**

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An Act further to amend the Indian Stamp Act, 1899 and the Registration Act, 1908 in their application to the State of Tamil Nadu. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-seventh Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on March 8, 2008 - Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No.85, pages 35-37, dated March 18, 2008.

CHAPTER 1  
PRELIMINARY

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

(1) This Act may be called the Indian Stamp and the Registration (Tamil Nadu Amendment) Act, 2006.

(2) It extends to the whole of the State of Tamil Nadu.

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

CHAPTER 2

## **2. Amendment Of Section 47-A :-**

In the Indian Stamp Act, 1899 (Central Act II of 1899),--

(1) in Section 47-A,--

( a ) for sub-section (1), the following sub-section shall be substituted, namely:--

"(1) The Registering Officer appointed under the Registration Act, 1908 (Central Act XVI of 1908) while registering any instrument of conveyance, dissolution of partnership, exchange of property, gift, partition, release or settlement shall estimate the market value of the property which is the subject matter of such instrument as per the market value guidelines of properties prepared by the "Valuation Committee" constituted under Section 47-AA and communicate the said estimated value to the parties concerned and unless the parties pay the duty on the basis of such valuation, he shall keep pending the process of registration of such instrument and refer the matter within a month along with a copy of such instrument to the Collector for determination of the market value of such property and the proper duty payable thereon.";

(b) in sub-section (2), for the expression "subject matter of conveyance, exchange, gift, release of benami right or settlement and the duty as aforesaid", the expression "subject matter of any instrument of, conveyance, dissolution of partnership, exchange of property, gift, partition, release or settlement and the duty payable thereon within a period of ninety days from the date of receipt of such reference. " shall be substituted;

(c) in sub-section (3),--

(i) for the expression "any instrument of conveyance, exchange, gift, release of benami right or settlement", the expression "any instrument of, conveyance, dissolution of partnership, exchange of property, gift, partition, release or settlement" shall be substituted;

(ii) for the expression "conveyance, exchange, gift, release of benami right or settlement", the expression "conveyance, dissolution of partnership, exchange of property, gift, partition, release or settlement" shall be substituted;

(d) in sub-section (4), for the expression "interest at two per cent per month on such amount for the entire period of default", the following shall be substituted, namely:--

"interest at one per cent per month on such amount for the entire period of default:

Provided that where a person has preferred an Appeal against the order under sub-section (2) or sub-section (3), the interest payable under this sub-section shall be postponed till the disposal of Appeal and shall be calculated on the amount that becomes due in accordance with the final order passed in appeal as if such amount had been determined under sub-section (2) or sub-section (3), as the case may be.";

(e) to sub-section (5), the following Proviso shall be added, namely:--

"Provided that no Appeal shall be entertained unless the person aggrieved has deposited in such manner as may be prescribed twenty-five per cent of the difference in the amount of duty determined and payable under sub-section (2) or sub-section (3), as the case may be";

(f) in sub-section (6),--

(i) after the words "suo motu ", the words "or otherwise, " shall be inserted;

(ii) for the expression "pass such order thereon as he thinks fit", the expression "pass such order thereon as he thinks fit, within such time as may be prescribed" shall be substituted;

(g) after sub-section (10), the following sub-section shall be inserted, namely:--

"(11) Where the duty paid is found to be in excess as a result of an order passed on Appeal or Revision, the excess duty paid shall be refunded.";

(h) the Explanation shall be omitted. (2) after Section 47-A, the following Section shall be inserted, namely:--

"47-AA. Constitution of Valuation Committee.--

(1) The State Government shall, by notification, constitute a Valuation Committee under the Chairmanship of Inspector-General of Registration and such other member as may be specified for estimation, publication and revision of market value guidelines of properties in any area in the State at such intervals and in such manner as may be prescribed, for the purpose of Section 47-A.

(2) The Valuation Committee is the final authority for the formulation of policy, methodology and administration of the market value guidelines in the State and may for the said purpose constitute valuation subcommittee in each district comprising of such members as may be prescribed, for estimation and revision of the market value guidelines.

(3) The sub-committee so constituted shall function under the Valuation Committee and shall follow such procedures as may be

prescribed and shall be subject to reconstitution whenever found necessary."

#### CHAPTER 3

#### AMENDMENT TO THE REGISTRATION ACT, 1908

### **3. Amendment Of Section 60 :-**

In the Registration Act, 1908 (Central Act XVI of 1908), in Section 60, in sub-section (1), for the expression "a certificate containing the word registered ", the expression "a certificate containing the expression registered and duly stamped as per the Indian Stamp Act, 1899 (Central Act II of 1899)" shall be substituted.