

Stamp Duties & Fees

Rate of Stamp Duty: Article of Schedule 1A

| Sl. No. | No. Name of Article | Rate of Stamp Duty | Rate of Regn. Fee |
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| 1. | 4 Affidavit | Rupees Ten (₹ 10) | ₹ 7.00 |
| 2. | 5 Agreement (a) If relating to sale of immovable property (b)if relating to an agreement giving authority to a promoter or developer, by whatever name called, for construction on, or sale of, or transfer (in any manner whatsoever) of, any immovable property – (i)where the market value of the property does not exceed rupees thirty lakh; (ii)where the market value of the property exceeds rupees thirty lakh but does not exceed rupees sixty lakh; (iii)where the market value of the property exceeds rupees sixty lakh but does not exceed one crore ; (iv)where the market value of the property exceeds rupees one crore but does not exceed rupees one and half crore; (v)where the market value of the property exceeds rupees one and half crore but does not exceed rupees three crore; (vi)where the market value of the property exceeds rupees three crore; (There are some other clauses also) | The same as conveyance for market value (No.23) Rupees five thousand Rupees seven thousand Rupees ten thousand Rupees twenty thousand Rupees forty thousand Rupees seventy five thousand | ₹ 7.00 |
| 3. | 15 Bond | 4% of value secured | Under Article A |
| 4. | 23 Conveyance 23A Conveyance, in respect of amalgamation, merger, | 5% on market value in Panchayet Area | Up to ₹ 250 is ₹ 2 Up to ₹ 500 is ₹ 7 |

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| <p>reconstruction, or demerger, of companies, other than amalgamation, merger, reconstruction or demerger, of two banking companies or a banking company with a non-banking financial company, executed on the basis of decree or final order of any Civil Court or every order made by the Tribunal under section 394 of the Companies Act, 1956, as defined by section 2(10), not being a transfer charged or exempted under No. 62, on the market value of the property which is the subject-matter of the conveyance, when the property of the transferor company located in the State of West Bengal is transferred to the transferee company by way of such amalgamation, merger, reconstruction, or demerger or companies under the decree of final order of any Civil Court or every order of the Tribunal under section 394 of the Companies Act, 1956:</p> <p>Provided that on and after the constitution of the National Company Law Tribunal, the expression 'High Court' shall be read as 'Tribunal'.</p> | <p>6% on market value in Municipal Areas, Corporation Areas and notified area other than those included in 23(a) and specified mouzas or blocks of South 24 Parganas and North 24 Parganas which are distributed over three action areas of New Town Kolkata Development Authority and divided into a number of blocks.</p> <p>1% Additional Stamp Duty in both urban and rural areas, if the market value exceeds 40 lakh w.e.f. 02.03.2015.</p> <p>The same duty as a Conveyance (No. 23) on the aggregate of the market value of the shares issued or allotted, in exchange or otherwise, and the amount of consideration paid-</p> <p>(a) by the transferee company, for such amalgamation or merger:</p> <p>Provided that the amount of such duty chargeable under this article shall not exceed:</p> <p>(i) an amount equal to two per centum of the true market value of the immovable property located within the State of West Bengal of the transferor company, or</p> <p>(ii) an amount equal to half per centum of the aggregate of the market value of the shares issued or allotted, in exchange or otherwise, and the amount of consideration paid by such transferor company, for such amalgamation, whichever is</p> | <p>Up to ₹ 1000 is ₹ 8 UP to ₹ 5000 is ₹ 9</p> <p>For ₹ 1000 or part thereof in excess of ₹ 1000.</p> <p>Above ₹ 5000 is ₹ 11 for ₹ 1000 or part thereof in excess of ₹ 5000.</p> |
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| | | <p>higher;</p> <p>(b) by the resulting company, for such reconstruction or demerger</p> <p>- Provided that in case of reconstruction or demerger, the amount of such duty Chargeable under this item shall not exceed-</p> <p>(i) an amount equal to two per centum of the true market value of the immovable property located within the State of West Bengal of the transferor company, or</p> <p>(ii) an amount equal to half per centum of the aggregate of the market value of the shares issued or allotted, to the resulting company and the amount of consideration paid for such demerger, whichever is higher.";</p> | |
| 5. | 31 Exchange of property | Same duty as conveyance (No. 23) on market value of the property of greatest value | Same as above |
| 6. | <p>32. Further Charge</p> <p>Instrument of, that is to say, any instrument imposing a further charge on mortgaged property –</p> <p>(b) when such mortgage is one of the description referred to in clause (b) of Art no 40 (that is , without possession)-</p> <p>(ii) if possession is not given</p> | <p>Rupees Ten for every ₹ 500 or part thereof, for an amount secured by such deed, subject to the maximum of ₹ 1 lac. w,e,f. 01.06.2014</p> | ‘A’ fee subject to a maximum of ₹ 55,000 w.e.f. 01.06.2014 |
| 7. | <p>33 Gift</p> <p>(1) When made to a member of a family</p> <p>(2) When made to an others</p> | <p>0.5% of the market value of the property</p> <p>Same duty as conveyance (No.23) on market value</p> | <p>Same as above with no cap</p> <p>Same as above</p> |

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| <p>8.</p> | <p>in article 35,-</p> <p>"(a) whereby such Lease the rent is fixed and no premium is paid or delivered- (i) where the' lease purports to be for a term not exceeding one year;</p> <p>(ii) where the lease purports to be for a term exceeding one year but not exceeding ten years;</p> <p>(iii) where the lease purports to be for a term exceeding ten years but not exceeding thirty years;</p> <p>(iv) where the lease purports to be for a term exceeding thirty years and for any term renewed.</p> <p>"(b) where such lease is granted for a fine or premium, or for money advanced, or for security charges advanced, and where no rent is reserved-</p> <p>(i) where the lease purports to be for a term not exceeding thirty years;</p> <p>(ii) Where the lease purports to be for a term exceeding thirty years and for any term renewed or in perpetuity or where no term is mentioned.</p> <p>"(c) where such lease is granted for a fine or premium, or for money advanced, or for development charges advanced,' or for security</p> | <p>The same duty as a Bottomry Bond (No. 16) for the whole amount paid, payable or deliverable under such lease.</p> <p>The same duty as a Conveyance (No. 23) for a consideration equal to twice the amount or value of the average annual rent reserved.</p> <p>The same duty as a Conveyance (No. 23) for a consideration equal to three times the amount or value of the average annual rent reserved.</p> <p>The same duty as a Conveyance (No. 23) on the market value of the property which is the subject-matter of the lease.</p> <p>The same duty as a Conveyance (No. 23) for a consideration equal to the amount or the value of such fine or premium or money advanced, or security charges advanced, as set forth in the lease.</p> <p>The same duty as a Conveyance (No. 23) on the market value of the property which is the subject matter of the Lease.</p> <p>The same duty as a Conveyance (No. 23) for a consideration equal to the amount or value of such fine or premium or advance as set forth in such lease, in addition to the duty which would have been payable on such lease, if no fine or premium or advance had been paid or delivered.</p> | <p>Same as above</p> |
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| | <p>charges advanced, in addition to rent reserved –</p> <p>(i) where the lease purports to be for a term not exceeding thirty years;</p> <p>(ii) Where the lease purports to be for a term exceeding thirty years and for any term renewed or in perpetuity or where no term is mentioned.</p> <p>[The expression "or for security charges advanced" referred to in items (b) and (c) of article 35, shall mean non-refundable security charges or deposits only.]</p> <p>(There are some other clauses and explanations.)</p> | <p>The same duty as a Conveyance (No. 23) on the market value of the property which is the subject-matter of the lease; or an aggregate of Stamp duties as a conveyance (No. 23) on rent (three times of the average annual rent) and premium or money advanced or security charges advanced, whichever is higher:</p> <p>Provided that in any case, when an agreement for a lease is stamped or a lease in pursuance of such agreement is subsequently executed, the duty on such lease shall not exceed rupees ten."</p> | |
| 9. | <p>43. Note of Memorandum, sent by a broker or agent to his principal intimating the purchase or sale on account of such principal –</p> <p>(a) of any goods exceeding in value twenty rupees;</p> <p>(aa) of any goods exceeding in value twenty rupees but not delivered;</p> <p>(ab) of any goods relating to future and options trading;</p> <p>(ac) of any goods relating to forward contract of commodities traded through an association or otherwise;</p> | <p>Fifty paise for every ₹ 5000 or part thereof</p> <p>Ten paise for every ₹ 5000 or part thereof</p> <p>Ten paise for every ₹ 5000 or part thereof</p> <p>Ten paise for every ₹ 5000 or part thereof</p> | Same as above |
| 10. | 45. Partition | 0.5% of the market value of the separated share or shares of the property | Same as above |
| 11. | 48. Power of Attorney | Rupees five thousand | |

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| | <p>"(g)when given to a promoter or developer, by whatever name called, for construction on, or sale of, or transfer (in any manner whatsoever) of, any immovable property –</p> <p>(i)where the market value of the property does not exceed rupees thirty lakh;</p> <p>(ii)where the market value of the property exceeds rupees thirty lakh but does not exceed rupees sixty lakh;</p> <p>(iii)where the market value of the property exceeds rupees sixty lakh but does not exceed one crore ;</p> <p>(iv)where the market value of the property exceeds rupees one crore but does not exceed rupees one and half crore;</p> <p>(v)where the market value of the property exceeds rupees one and half crore but does not exceed rupees three crore;</p> <p>(vi)where the market value of the property exceeds rupees three crore;</p> <p>Explanation- Where the proper stamp duty is paid under clause (f) of article 5 on a promoter's or developer's agreement between the same parties in respect of the same property, the proper stamp duty under this clause shall be rupees fifty ."</p> <p>(There are some other clauses also)</p> | <p>Rupees seven thousand</p> <p>Rupees ten thousand</p> <p>Rupees twenty thousand</p> <p>Rupees forty thousand</p> <p>Rupees seventy five thousand</p> | |
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| 12. | 46 .Partnership (a)Up to ₹ 500 (b)Up to 10000 (c)Up to ₹ 50000 (d)Exceeding ₹ 50000 | ₹ 20 ₹ 50 ₹ 100 ₹ 150 | ₹ 7.00 |
| 13. | 61. Surrender of the lease, When such lease is chargeable with duty; Exemption. Surrender of the lease, when such lease is exempted from duty. | Rupees one hundred irrespective of the term of lease." | |
| 14. | 63. Transfer of Lease a) Govt. land in favour of family members as defined in Article 33. b) in any other case | 0.5% on the market value of the property. Same as conveyance on the market value of the property. | Same as conveyance. Same as conveyance. |

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Rate of Stamp Duty for Conveyance (Articles- 23)

| <u>Sl. No.</u> | <u>Date of Effect</u> | <u>Rate of Stamp Duty</u> | <u>Remarks</u> |
|----------------|-----------------------|---|---|
| 1 | 28.03.1994 | 10% | Upto 14.07.1996 |
| 2 | 15.07.1996 | 5% | Upto 31.03.2002 |
| 3 | 01.04.2002 | Municipal area 6% Panchayet area 5% | Upto 20.10.2002 |
| 4 | 21.10.2002 | Corporation area 8% Municipal area 6% Panchayet area 5% | Upto 04.08.2003 |
| 5 | 05.08.2003 | Corporation area 8% Municipal area 8% Panchayet area 5% | |
| 6 | 01.08.2006 | Corporation area 6% Municipal area 6% | Additional 2% stamp duty For KIT/HIT removed |

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| | | Panchayet area 5% | w.e.f. 01.08.2006. |
| 7 | | <u>Above 25 lac</u> | |
| | | (a)Corporation (Kolkata/Howrah) Area 7% | |
| | | (b)Municipal Corp./Municipality/Notified Area 7% | |
| | | (c)Other then those included in clause (a) or (b) 6% | |
| | 01.04.2007 | <u>25 lac & its below</u> | |
| | | (a)Corporation (Kolkata/Howrah) Area 6% | |
| | | (b)Municipal Corp./Municipality/Notified Area 6% | |
| | | (c)Other then those included in clause (a) or (b) 5% | |